

Law Enforcement News

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How much force is enough?

Troubled by shootings, DC officials unveil new use-of-force 'continuum'

With shooting incidents involving the Washington, D.C., Metropolitan Police Department reaching the high triple-digits over a five-year period in the 1990s, department officials have unveiled a new deadly force policy that establishes a progressive "use-of-force continuum," as well as plans for increased firearms training and changes in the way the department responds to shooting incidents.

The policy, contained in a general order issued on Nov. 13, states that officers will use only the force that is reasonably necessary to bring an incident under control, while protecting themselves and others. The decision to use force at any level, it said, should be based on the danger posed by an individual confronted by police, rather than the nature or category of offense.

"It was pretty clear to Chief [Charles] Ramsey and myself that officers were not given a good policy statement about what the use of force ought to be and clearly they were not given the training," Executive Assistant Chief Terrance W. Gainer told Law Enforcement News. "Chief Ramsey has been here about six months and myself about five, and we both felt we were seeing far too many incidents where we used deadly force."

In fact, the District's police have shot and killed 85 people since 1990, a higher per-capita rate than any other major city police force during that period, according to an investigative report by The Washington Post. Members of the force were involved in 640 shooting incidents during a five-year period from 1992 to 1997, a figure that exceeds the totals of the Los Angeles Police Department and the Chicago Police Department, even though each of those departments have more than double Washington's manpower and serve a population several times that of the District.

Deaths and injuries from the shooting events have resulted more than 300 civil suits against the District, with nearly \$8 million in court settlements and judgments awarded during a six-month period in 1998 alone. In June, a Superior Court jury awarded \$6.1 million to a man who was armed with a knife when he was shot 12 times in the back by SWAT team members.

In far too many cases, Gainer said, police were shooting at individuals in cars. The incidents did not begin as felonies, he said, but officers would find themselves in the "precarious position" of having a felony committed against them with the vehicle.

Since 1993, 54 cars have been shot at after

officers said they had drove at them in "vehicular attacks." Nine people have been killed in all — all of them unarmed — and 19 wounded.

In 1995, 16-year-old Kedemah Dorsey, who was wanted for reckless driving and running red lights, was shot through his side window. That same year, 18-year-old Eric Anderson was shot as he sat in his car during a roadblock. Sutoriu Moore, 19, was shot the year before, also while sitting in his vehicle during a traffic stop.

All three of the officers involved claimed they were forced to fire to prevent a "vehicular attack" by the driver. However, each of the shootings was eventually found to be unjustified and the city agreed to pay \$775,000 to settle suits brought by survivors in the cases.

Other cases include a police chase this past August of an irrational truck driver who had rammed several cars was ended when an officer fired 38 times into the cab of the vehicle, killing the unarmed driver.

But the shooting ledger has not been all one-sided. Eight police officers have been fatally shot since 1993, a figure reached by six other cities in the nation, all larger than Washington. In addition, one officer died after being hit by a

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The Police Corps is still controversial, as IACP raises objections to funding

With some \$30 million allocated for the Police Corps program in the next fiscal year, two of the nation's top law enforcement organizations are questioning the fairness of rewarding individuals who have not yet made the decision to dedicate themselves to a law enforcement career, as opposed to helping those already on the job who could use tuition assistance to further their educations.

"You're taking a large sum of money and designating it for the education of those who may or may not choose law enforcement as a career," said Gene Voegtlin, legislative counsel for the International Association of Chiefs of Police. "One of our biggest concerns is

that people get funded, do their hitch and then they're out the door," he told Law Enforcement News.

An arm of the Justice Department's Office of Community Oriented Policing Services, the Office of the Police Corps and Law Enforcement Education was established and authorized to fund two separate programs — the Police Corps Act and the Law Enforcement Scholarship Act. The Police Corps program, which had been allocated \$20 million from 1996 through 2000, was recently awarded an additional \$10 million.

The Police Corps program allocates college scholarships to students in exchange for their agreement to serve at

least four years with a state or local law enforcement agency. The scholarship pays up to \$7,500 per academic year for a four-year period, and the hiring agency receives \$10,000 a year to subsidize the new graduate's salary.

The Law Enforcement Scholarship Act calls for the Federal Government to allot money to states to offer one-year academic scholarships to officers with at least two years on the job in exchange for six months service in that state. It also provides money to states to hire students for full-employment in the summer or part-time work for a one-year period.

While \$20 million was authorized for the scholarship program, no money

has yet been appropriated for it, according to the National Association of Police Organizations.

Both NAPO and the IACP are strong supporters of Scholarships Act. "While it's already on the books, it's got no money," said Voegtlin. "It's great to have this fund, but if you're not going to put any money into it, what's the point?"

But the choice to fund that program is made by Congress, said Adam Gelb, policy director for the office of Maryland Lieut. Gov. Kathleen Kennedy Townsend. The decision not to put the resources into the Scholarships Program, he noted, does not mean by extension that the Police Corps program is flawed.

The largest Police Corps pilot program in the nation has been established under Townsend's aegis. Within the Maryland Police Corps Academy, a training facility outside Baltimore built specifically for the program, some 28 graduates are now serving with the Baltimore Police Department and 16 with the Greenville, S.C. Police Department, Gelb said.

The man generally recognized as the father of the Police Corps, attorney Adam Walinsky, said the problem is not with funding for his program. "The COPS office right now has about a billion in unspent money and has been running surpluses of hundreds of millions of dollars every year that are available for Part B [the Law Enforcement Scholarship Program]," he said. "As far as I know, there hasn't been a single

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One size fits all, as judge OK's unisex fitness standard for Pa. transit cops

A ruling by a Federal judge in Philadelphia that upheld a police agency's rigorous physical fitness entry standard despite its adverse impact on female candidates is now begging the question: How fit do police officers really need to be to do their jobs?

In finding for the South Eastern Pennsylvania Transit Authority in Lanning v. SEPTA, Senior U.S. District Court Judge Clarence C. Newcomer rejected a class-action suit brought by a group of female applicants in 1993 and 1996 who were denied positions as officers with the SEPTA police force because they could not run a mile and

a half in 12 minutes or less.

"Plainly, it is more likely than not that applicants who pass the 1.5 mile run component of SEPTA's physical fitness test will be successful performers on the job; officers who do not pass the 1.5 mile run component of SEPTA's test will not be successful performers on the job because they lack the aerobic capacity necessary to fulfill the demanding obligations of a SEPTA officer," stated Newcomer, in a decision handed down June 25.

The entry standards SEPTA implemented in 1991 are stringent by any measure — more so than the majority

of big-city agencies around the country. In New York City, for example, the cutoff for the 1.5-mile run is set at 15 minutes and 30 seconds for entrance into the police academy, lower to graduate. The 115-officer Champaign, Ill., Police Department requires men ages 20 to 29 to run that distance in 13 minutes and 46 seconds, and women in 16:21.

The SEPTA standard is also said to be tougher than that used by the FBI, the Secret Service, the New York State Police and Philadelphia Police Department, among others.

In fact, comparative fitness charts

developed by the Cooper Institute for Aerobics Research, a leading authority in its field, indicate that just 47 percent of American males could meet the SEPTA standard. Women fair even more poorly, according to the Cooper Institute, with only 15 percent able to pass.

The tough SEPTA standard would seem to affect women unfairly, as the plaintiffs argued in the Lanning case, yet law enforcement and physical fitness experts contend that the alternative — having dual standards to account for the inability of most female candi-

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Around the Nation

Northeast



CONNECTICUT — Middletown Police Chief J. Edward Brymer admitted in October that a car chase that went through several towns before ending in New Haven with the crash of one of his department's cruisers was a violation of policy and a lapse in judgment. The incident began when four Middletown cruisers began pursuing a suspected stolen car and continued into New Haven, even after it had been taken up by State Police. The chase ended when Sgt. George Dingwall crashed into a parked car. He was not hurt, and the cruiser sustained only minor to moderate damage.

The Connecticut State Police Union on Oct. 23 honored six of its own at its Fourth Annual Courage of Connecticut Awards Dinner. The troopers who willingly placed themselves in life-threat-

ening situations and survived with honor include: Trooper 1st Class James Reidy, TFC Mark Pelletier, Trooper Michael Hoague, TFC Michael Allard and TFC Harold Shaw, all of Troop C, and TFC Jeffrey Mennino of Troop E.

DISTRICT OF COLUMBIA — District law enforcement officials will work with Maryland authorities to close up escape routes for criminals along the district's borders with Montgomery and Prince George's counties. Some 33 members of Cross-Border Police Probation Teams will also have special status as deputy U.S. Marshals.

Sixty-five instances of misconduct including diversion of funds, abuse of power, theft of equipment and submission of falsified employment applications has been found within the District Police Department by a special investigative committee. The cases will be handed to federal and local agencies for further pursuit.

MASSACHUSETTS — Some 62

people were arrested on drug possession charges in early October by Boston police who had vowed a crackdown on the 9th Annual Freedom Rally to support legalization of marijuana. Approximately 40,000 supporters filled the Boston Common for the event, about 10,000 less than last year.

Choosing closure over another trial, the family of Jeremiah Hurley in October supported a lesser sentence for the man whose homemade bomb killed the Boston Police Bomb Squad officer in 1991. The defendant, 28-year-old Thomas Shay, was sentenced to 12 years in prison — three less than he had received from another judge following an earlier conviction in 1993. He was granted another trial after a Federal judge ruled that psychiatric testimony should have been heard.

Four Boston police officers were placed on paid leave in October, nearly four years after an undercover officer said he was beaten by colleagues who mistook him for a suspect. While a police report in 1995 said Officer Michael Cox had slipped on an ice patch and cracked his head, Cox had been chasing a suspect when he was struck from behind and beaten. He suffered a concussion and kidney damage and spent six months out of work. The disciplinary action taken by Police Commissioner Paul Evans against Officers Ian Oaley, James J. Burgio and Oavid C. Williams and Sgt. Robert A. Owan came on the eve of the trial of a Federal civil rights suit filed by Cox, in which he alleges that the city failed to discipline officers who used excessive force and then covered it up.

NEW HAMPSHIRE — Hopkinton Police Chief Ira Migdal was granted a paid administrative leave by the town's Board of Selectmen in October to defend himself against a newspaper's allegations that a high-speed chase that claimed the lives of two people had little justification. The Bow Times reported that speeds exceeded 100 mph as Hopkinton police chased Russell G. Brelsford, 41, and Charlotte Jean Shurkus, 40, through Ounbarton. Brelsford crashed into a dump truck in Goffstown, killing both himself and his passenger.

NEW JERSEY — A pending bill that seeks to expand the New Jersey's collection of DNA samples would permit genetic testing of anyone in the state convicted of homicide. Earlier legislation amended the law to include DNA not only from convicted adult sex offenders, but from juvenile sex offenders, as well. Assemblyman James Holzapfel, one of the bill's two Republican sponsors, said he would like to see DNA samples collected from any convicted felon.

A suit filed by a Dover patrolman is the latest case against Austrian handgun maker Glock Inc. which is being sued by dozens of officers around the country for various problems with its product. On Aug. 19, Officer Keith Smith accidentally shot himself while cleaning his weapon. In court papers filed Oct. 29, Smith charged that the gun was defectively designed without a safety catch, forcing the operator to pull the trigger during the cleaning process.

Former Paterson police officer

Stanley Smith was sentenced to six months of house arrest in October after admitting to brutalizing a suspect. Under the terms of a plea bargain, charges that Smith assaulted three other suspects on separate occasions were dropped. Smith resigned from the force after pleading guilty in May to a single civil rights violation.

Alva R. McLean, one of the three defendants charged with the 1996 murder and robbery of a Teaneck police officer, will be retried after a mistrial was declared on Oct. 22. The same jury earlier in the week convicted Kevin Lee in the shooting death of Officer Robert L. Fisher. The third defendant, Kevin Richards, will be tried separately on capital murder charges.

Thomas Trantino, 60, who was convicted of killing two police officers in 1963, will be sent back to state prison and not to a halfway house, correctional officials said in November. Trantino, who is serving a life sentence, was transferred to a minimum security treatment center in South Kearny for psychological evaluation, but the move touched off protests from public officials and relatives of his victims.

An expert on the effects of alcohol testified in November that Elizabeth Patrolman William F. Burdge Jr. could have been aware of what he was doing when he broke into the house of an elderly woman and her brother and brutally attacked them. Burdge, 27, was charged with criminal trespass and aggravated assault in the beating of Phyllis LoBrace, 67, on Oct. 20, 1997. He is also charged with attacking her brother, Rocco DiCosmo, a 71-year-old former state trooper, who came to the aid of his sister. Burdge claims he acted out during a blackout and could not remember anything prior to sitting in the back of a police cruiser.

A 16th victim in a string of prostitute slayings being investigated by the Essex County Prosecutor's office has been identified as Annette Lawrence, a 30-year-old Newark woman, who was found beaten and strangled at a motel in Irvington. Detectives have been investigating a series of prostitute murders during the last five years in Essex County.

A judge has again denied a petition by suspended Lyndhurst patrolman Stephen Cagnacci for release from the Morris County jail, after rejecting a psychiatrist's findings that the officer did not pose a danger to himself or others. Cagnacci has been in custody since Thanksgiving Day 1997 on charges he threatened his wife. The incident followed an earlier episode in which Cagnacci was accused of holding a gun to her head. The psychiatrist, Dr. Paul Oh, said he found no evidence of a bipolar disorder that was previously diagnosed. Superior Court Judge Lewis Weinstein said on Oct. 26 that he was not willing to take a chance on releasing Cagnacci based on that conclusion.

NEW YORK — A paroled felon charged with shooting a New York City police officer in November has confessed to committing five other murders, including two after his release from prison last January. Oemeris Tolbert, who served 2½ years of a 54-month sentence for a drug conviction, opened fire on Officers Tanagiot

Benekos and Oominick Cappiello inside a Brooklyn housing project as the officers were seeking two men who robbed and fatally shot a pawnshop owner. They found Tolbert and a 16-year-old boy divvying up cash, said sources. During a videotaped confession, Tolbert admitted to killing a member of the Crips street gang in September, to the 1991 homicide of a guard, and three other murders.

A man who walked barechested into a Queens station house and stabbed an officer before being shot to death had told his mother that he had been using cocaine and marijuana and had talked about the Devil, according to law enforcement officials. Kevin Cerbelli entered the 110th Precinct on Oct. 25 and stabbed Sgt. Michael Barretto in the back with a screwdriver. Barretto was wearing a bulletproof vest and suffered only a bruise. After refusing to drop the screwdriver and making several feints at officers with a kitchen knife, Cerbelli was hit seven times by police. Family members told police the victim had a long history of psychiatric problems and had been struggling with a drug addiction.

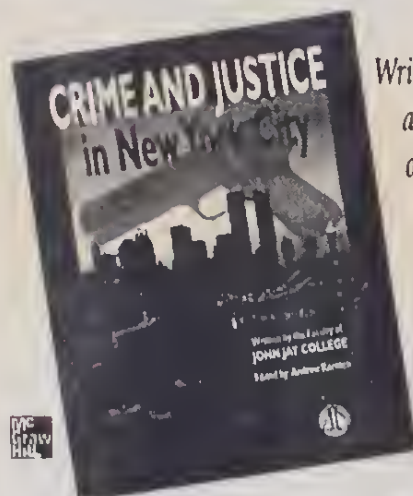
Four New York City police detectives were indicted Nov. 18 on assault, evidence-tampering and other charges related to the beating of a man last year. They were not charged, however, in his violent death several hours later when he jumped in front of a Brooklyn subway train. Investigators would not identify the officers. The victim, Reginald Bannerman, a 35-year-old gym teacher who also worked as a porter at a comedy and music club in Crown Heights, got into a confrontation with the officers during a birthday party for a detective. Witnesses said they saw the detectives beat Bannerman and kick him as he lay on the ground. An hour or two later, Bannerman was killed by the train.

An Erie County jury has convicted Jonathan Parker, 20, of capital murder in the 1997 killing of Buffalo Police Officer Charles "Skip" McOougald, 36. In the ensuing penalty phase of the trial — the first such proceeding in the county since New York reinstated the death penalty in 1995 — jurors must decide among three options regarding Parker's fate: the death penalty; life in prison without parole; or to do nothing if they cannot decide unanimously, in which case the judge would impose a sentence of 20 years to life.

Albany County Sheriff James Campbell has attributed a resurgence in heroin usage in his jurisdiction to the drug's cheap price and 60-percent purity level. As of mid-October, Campbell said, his department has made 46 heroin arrests in 1998 compared to 38 cocaine arrests.

New York City's law governing permits for parades and rallies was struck down on Nov. 16 by a Federal judge who said it lacked firm guidelines for when the Police Department must respond to permit requests. Federal District Judge Leonard B. Sand analyzed 30 requests for parade permits over the past two years. In two instances, organizers of rallies protesting police brutality were denied permits a month after submitting them. In one case, permission was denied just one day before the planned event.

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The parents of the nursing student whose murder inspired Jenna's Law, which sharply curtails parole for first-time violent offenders, said they are suing the Albany Police Department for "horrific" mistakes they made the night their daughter was attacked. These include a failure to deal appropriately with the victim's dog, which kept police at bay outside her apartment for about an hour.

New York City Council members Kenneth K. Fisher, Jerome X. O'Donovan and Sheldon S. Leffler proposed Nov. 17 that a lawsuit be filed against the nation's gun manufacturers to try and recoup the millions of dollars spent treating shooting victims. The action needs approval from Mayor Rudolph Giuliani, who said he is not opposed to the idea. Should the suit be filed, New York would follow in the footsteps of other cities including New Orleans and Chicago, both of which have filed court papers. While the council members said they were unsure of how much money the city should seek, some estimates have put the city's medical cost for treating gunshot injuries in 1992 at more than \$94 million.

A new law allows state judges to issue post-conviction orders of protection to prevent convicted criminals from going near witnesses who testified against them. The law, which takes effect immediately, bars criminals from showing up at the homes, schools or workplaces of witnesses.

A gay New York City police officer, Joseph Barratto, and his heterosexual squad-car partner, Steven Camacho, filed suit against the department in October, charging they were the victims of years of cruel abuse from fellow officers at the 23rd Precinct. The suit seeks an unspecified amount of money and names two of the officers' supervisors, in addition to the department and the city. In one instance, Barratto, a 13-year veteran, said he was handcuffed by colleagues and suspended from a coat rack in the lunchroom. Camacho, who joined the force in 1993, said he was abused for agreeing to work with Barratto.

Former New York City police officer Francis X. Livoti was sentenced to 7½ years in Federal prison in early October for violating the civil rights of Anthony Baez, who died after Livoti put him in an illegal chokehold in December 1994. Livoti was acquitted of criminally negligent homicide at a state trial, but he was later dismissed from the department by Police Commissioner Howard Safir after a departmental hearing.

Gov. George Pataki in October approved legislation to strengthen the nonprofit Trooper Foundation, an organization that supports the work of the New York State Police. The bill creates a payroll deduction plan for members and employees of the NYSPP, with those funds to be applied to the foundation's programs and services.

New York City police Det. Frederick Jesselli, 48, shot and killed his wife and then himself on Oct. 20. Jesselli, a member of the 122nd Precinct detective squad on Staten Island, joined the force in 1979. His wife, Monica Jesselli, 38, was a patrol officer assigned to the 123rd Precinct. Police

said the shooting occurred after Monica Jesselli returned home from her 6 A.M. to 2 P.M. shift and before Jesselli was scheduled to work his 4 P.M. to midnight shift. Monica Jesselli was shot once in the head and three times in the body; her husband killed himself with a single gunshot to the head. Their bodies were found by their 12-year-old daughter. Both the girl and her 16-year-old brother were in school at the time of the shootings.

Two New York City police officers were acquitted Nov. 5 following a non-jury trial on charges that they brutally beat a suspect in a drug case. Det. Olga Vazquez, 36, and Officer Richard Thompson, 30, were accused of beating 52-year-old Norman Batista in 1997 after they broke into a Washington Heights apartment where the suspect was allegedly buying drugs. Batista was hospitalized with several broken ribs. Drug charges against him were eventually dismissed.

The New York City medical examiner's office ruled Nov. 24 that the death of a 36-year-old man who was hit in the head by a police officer's walkie-talkie was a homicide. The victim, Kenneth Banks, was fatally injured on Oct. 29 while fleeing from police who had witnessed him conducting a drug deal in Harlem. Officer Craig Yokemick, 31, and his partner chased after Banks as he rode off on his bicycle. Yokemick then threw his radio at Banks and knocked the suspect off his bike. Banks lapsed into a coma and died on Nov. 11. A lawyer for Yokemick said there is no departmental regulation prohibiting the use of a radio as a projectile to prevent escape by a felony suspect.

The New York City Patrolmen's Benevolent Association on Nov. 23 staged demonstrations in front of 10 station houses to protest the transfer of approximately 100 officers who they claim were reassigned for writing too few tickets. A Police Department spokesman, Insp. Michael Collins, said that while some transfers occurred because of low productivity, others were the result of poor performance evaluations, weak attendance records and personality clashes.

A Federal jury awarded New York City police Sgt. Anthony Miranda \$96,000 in damages stemming from his lawsuit claiming he had been the target of retaliation by the department after charging in 1992 that black and Hispanic officers were being discriminated against in Brooklyn's 94th Precinct. Miranda said white supervisors ignored his complaints and made him undergo unwanted psychological testing.

PENNSYLVANIA — The parents of a 23-year-old doctoral student who was found beaten to death have filed a Federal civil rights lawsuit against two Philadelphia police officers and the city, claiming that their daughter may have still been alive when police responded to a 911 call but failed to enter her apartment. Neighbors of the victim, Shannon Schieber, called police after hearing noises from her apartment and a cry for help. The officers knocked on the door several times with their nightsticks, but concluded that no one was at home. They told the neighbors to call 911 again if they heard anything. Schieber's body was found by her

brother 13 hours later.

After accidentally awarding Philadelphia housing police officers an extra \$2,500 in their October paychecks, the city's housing authority now wants the money back. The increase was believed by officers and their union to be the retroactive pay raise included in a new contract. Instead, the money turned out to be the result of a \$500,000 mathematical error on the part of the agency. Officers have been told to either repay the money in a lump sum or as part of a payroll deduction until it's made up.

Southeast



ALABAMA — A \$10,000 reward was offered by Gov. Fob James for information leading to the capture and conviction of Mario Centobie, a jail escapee accused of killing Moody Police Officer Keith Turner in October. Centobie broke out of the Etowah County Jail.

Dothan residents complained in October that police waited too long before warning them about a rapist who attacked seven women this year, all within a 1.5-mile radius in the Napier Field Road neighborhood. Police Chief John White said he did not want to create a panic with a public announcement. Officers went into the neighborhood in September to deliver warnings, and patrols have since been increased.

ARKANSAS — A North Little Rock city official said police using a list of 52 people banished from using a public park did not know they were exceeding their authority.

MISSISSIPPI — Two top sheriff's deputies were among the 15 men indicted on Federal drug charges in Tunica County in October. Charges against Chief Deputy Willie Lee "Cat Daddy" Stark and Deputy Michael Hardy include accepting payoffs from drug traffickers.

NORTH CAROLINA — Sixty law enforcement agencies statewide participated in the Oct. 9 kickoff of the "Watch Your Car North Carolina" anti-theft program. Under the program, enrolled drivers apply special window decals to their vehicles, and give permission to officers to stop vehicles between the hours of 1 A.M. and 5 A.M. to verify ownership without probable cause.

More than 2,500 driver have been caught dodging red lights by eight high-tech cameras that were installed in July at high-accident intersections in Charlotte. The cameras caught more violators in three months than the Police Department did during all of 1997.

SOUTH CAROLINA — State troopers who are not working undercover surveillance have been ordered to comply with dress and grooming requirements, including military-style haircuts and no mustaches or beards. Sideburns must be trimmed parallel with the center of the ear cavity.

Chris Cannon, a 28-year-old state trooper, was arrested Nov. 1 and charged with beating his girlfriend on

the night of their engagement. Cannon was charged with criminal domestic violence after police found his 30-year-old girlfriend with a cut inside her mouth and on her thumb, said Sgt. Bob McCollum of the Anderson County Sheriff's Department. Cannon admitted hitting her but said it was an accident.

TENNESSEE — An internal investigation is being launched by Memphis police detectives into Officer John C. Lowrance's account of being shot twice in his bulletproof vest by a fleeing suspect after a traffic stop. An alleged retaliatory bearing by police is also being looked into. Lowrance said he stopped a car with expired tags, and the driver then shot him twice and fled. A suspect, Danny Deaton, was beaten after officers were let into his building. Deaton has not sued the department, but has filed a request for a pre-lawsuit discovery.

Eight Memphis police officers were suspended without pay in October on charges they made unnecessary court appearances to collect overtime. The abuses were reported in April, after overtime was restricted.

VIRGINIA — Heroin use is up across the state, including in rural and suburban areas, according to police. In some pockets of the state, use of the drug has even upstaged crack cocaine.

Midwest



ILLINOIS — After a 12-year quest that took him from Illinois to California, Cedric Taylor of Belleville finally had the satisfaction of seeing the man who murdered his brother brought to justice in October. Ernest Mosby, 38, pleaded guilty to shooting Walter Taylor in 1986.

Eighteen-year-old Victor Jasas and Michael Kwidzinski, 21, pleaded guilty on Oct. 20 to reduced charges and were sentenced to probation for the brutal beating in 1997 of a 13-year black boy who had rode his bicycle into one of Chicago's blue-collar, white neighborhoods. The victim, Lenard Clark, was severely brain-damaged after the defendants knocked him off his bicycle and kicked him in the head until he lost consciousness. After awakening from a coma, he spent months in rehabilitation. The prosecution's case was weakened by the death of one witness, the disappearance of another and the faulty memory of a third. Another defendant, 19-year-old Frank Caruso Jr., was sentenced to eight years in prison after being convicted of aggravated battery and a hate crime.

INDIANA — A veteran State Police trooper, the police chief of Chesterfield and a captain in the Chesterfield police reserves have been charged in a ticket-fixing scam, in which they allegedly solicited donations to a police equipment fund in exchange for dismissing charges. Police Chief Moses G. "Modie" Beeman, 63, was charged with 10 felony counts of attempted bribery and obstruction of justice for destroying records in drunken-driving and drug arrests. Master Trooper Donald J. Farris, an 18-year State Police veteran, was charged with seven misdemeanor

counts of official misconduct for soliciting donations in exchange for dismissing seven speeding tickets and a complaint against a minor accused of drinking alcohol. Reserve Capt. Tom A. Watson, 55, was charged with six felony counts of conflict of interest on suspicion that he illegally sold lighting equipment to the Police Department from his private custom-lighting business. The arrests, which cap a two-year investigation by State Police and the FBI, began after an Alabama woman was arrested by a Chesterfield officer at a sobriety checkpoint in 1996. Beeman is accused of soliciting a large donation in exchange for reducing charges or destroying documents related to her arrest for drug possession.

KENTUCKY — Harrodsburg Police Officer Regina Nickles, 45, became the first female officer in the state to be killed in the line of duty in October. Nickles, a 15-year veteran who was Harrodsburg's only female officer, was shot to death while responding to a complaint at a factory.

Phillip M. Cox, 57, of Edmonton, was shot to death in early October after he aimed a gun in the direction of an unidentified Metcalfe County sheriff's deputy who was responding to a domestic complaint.

A 16-year-old Louisville boy narrowly missed being injured by police after he aimed what looked like a sawed-off shotgun in an officer's direction and the officer fired back — and missed. The boy, who was holding what turned out to be a BB gun, was charged with wanton endangerment of a police officer, loitering for the purpose of a controlled substance and disorderly conduct. A second teen who had eluded police was later arrested at his home.

James L. Stokes, 41, a Bowling Green man who pointed a toy cap pistol at state police officers, was treated for non-life threatening injuries in October when he was fired on by the troopers. The shooting occurred after an anonymous caller told a dispatcher at the Madisonville post that a man named "Levi" would enter a business, take a hostage and kill the trooper who responded. Troopers were alerted after a secretaries at the post saw a man enter the building and act suspiciously. After identifying himself as Levi, Stokes took out what looked like a nickel-plated revolver. In a baffling twist, the caller turned out to be Stokes, said Trooper Bryan Pitney.

MICHIGAN — An appeals court ruled in October that a Michigan State Police employee who was awarded \$875,000 by a jury in a reverse discrimination lawsuit must start all over with a new trial. Thomas Cremonese, a white, 58-year-old detective sergeant, complained that the department failed to promote him because his age, gender and race.

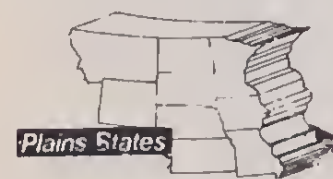
OHIO — Elyria Police Officer Todd W. Zack, 29, was convicted Oct. 15 of raping two women in custody and numerous other sex-related charges. Zack had been suspended without pay since last December, after a woman claimed he raped her in 1995. The other incidents occurred between 1994 and 1995. Zack had been cleared after an initial investigation and often talked with school children about the dangers of

Around the Nation

crime. He now faces up to 80 years in prison.

WEST VIRGINIA — Researchers at West Virginia University in Morgantown say they have developed a cheap, simple device that will allow cashiers to catch counterfeiters before they leave the store. Engineering professor Jim Smith said the developers hope the device will be adopted by the "Wal-Marts and Kmart's of the world."

The former West Virginia Penitentiary in Moundsville will get a new lease on life when it becomes a law enforcement training center. A new Federal law includes money for the Moundsville Economic Development Council to convert the Civil War-era prison, which was closed in 1995, into a National Corrections and Law Enforcement Training and Technology Center.



IOWA — A survey commissioned by Iowans for the Prevention of Gun Violence found that 52 percent of those surveyed were in favor of gun regulations, and 35 percent were opposed. The majority was said to be even stronger when the issue was presented in terms of gun safety.

KANSAS — A grand jury has indicted Rooks County sheriff's deputy Glenn Lacy with attempting to talk a grand jury witness out of testifying in a case that has already seen the indictments of the sheriff and a detective.

MINNESOTA — Police in Twin Valley believe a serial thief is on the loose, stealing nothing but size 44-D brassieres, and all from the same store. The owner of Schep's Clothing said the thief, whom she believes is a woman, has ripped off as much as \$1,000 worth of high-quality bras in the past five years.

St. Paul police Sgt. Tom Dunaski, whom his chief called a lovable "pit bull," was named as the Police Department's first officer of the year in October. Dunaski, 54, helped solve the 1994 gang-orchestrated fire-bombing in which five children died. Investigators believed members of the 6-0-Tre Crips street gang were responsible for the deaths of Terri Coggage's children, but were unable to get family members and juveniles to talk. Dunaski, Federal prosecutors, FBI agents and other St. Paul officers used garbage searches, Federal wiretaps and controlled drug buys to haul gang members in and give them the chance to cooperate with authorities. The strategy paid off with the murder convictions of reputed gang leaders Robert G. (Buster) Jefferson and his half-brother, Robert J. (Duddy) Jefferson. Police Chief William Finney, who joined the department 10 months before Dunaski in 1971 and later was his partner on the Critical Incident Response Team, called the sergeant a "tough but caring" cop who would grab on to a case until he got the results he wanted.

MISSOURI — A St. Charles County Circuit judge denied a motion by a man

accused of injecting his son with HIV-tainted blood to dismiss all charges against him because of improper arrest. The judge also denied a motion for copies of the psychological records of the boy's mother. The defendant, Brian Stewart, had asked prosecutors for the records because he wanted to pursue an argument that she may have suffered from Munchausen by proxy syndrome. Prosecutors said they did not have the records.

The Missouri Supreme Court has declared unconstitutional a law allowing prosecutors to tell juries in child sexual assault cases about a defendant's prior abuse allegations and convictions. Prosecutors and defense attorneys say that dozens of convictions across the state could be overturned as a result of the Oct. 21 ruling.

The St. Clair County Housing Authority will receive a Federal grant of \$302,400 to combat drug-related violence in Alorton, Brooklyn and Centerville. U.S. Representative Jerry F. Costello said the money will be used in cooperation with Centerville police and the drug tactical unit of the county sheriff's department.

WYOMING — The Wyoming Division of Criminal Investigation has been asked to look into allegations of records tampering at the Lander Police Department, said Chief Dick Currah. David King, a sheriff's investigator who was running for sheriff as a Republican, charged that a report about a party at his home was altered by police to make him look bad. An advertisement by a political action committee that opposes his candidacy said police found numerous naked, drunken people having a hot tub party at King's home in 1995. The officers who answered the call, however, said they saw no such thing.



ARIZONA — A 12-year-old girl saved some of her grandfather's semen to give to Phoenix authorities after her father refused to believe she was being molested. The girl said she knew the semen could be used as evidence from watching "NYPD Blue" on television.

Capt. Jack Spencer of the Bureau of Indian Affairs police was killed on the Navajo reservation Sept. 5 when he fell asleep at the wheel of his cruiser. Spencer had spent 29 straight hours on duty and was driving 275 miles to assist another officer in an armed standoff with a criminal in western Nevada. Spencer is the second police officer in the past two years to be killed on the vast reservation, which covers 26,500 square miles. In another incident, an officer was beaten, strangled and left to die in a remote stretch of desert after being overpowered by two burglary suspects he had confronted miles from the nearest backup.

Self-proclaimed houny hunter Michael Sanders, 41, faces sentencing in January for the August 1997 killings of Christopher Foote, 25, and Spring Wright, 19, after a jury rejected Sand-

ers' claim of self-defense and convicted him of first-degree murder on Oct. 30. Prosecutors said the defendant was one of four heavily armed men who burst into Foote's home wearing body armor and masks. Sanders fired 18 shots from his assault rifle into the couple's bedroom. Foote had fired his handgun as his bedroom door was kicked in.

Carmen Olvera, a motel maid, got to keep \$7,500 after she turned in \$75,000 in drug money she found while cleaning a room in July at the Marriott University Park motel. Two Florida men who had rented the room were questioned and one of them arrested after they returned to the room, saying they forgot something. The rest of the money will be used by local police for drug enforcement.

Thieves looking for students' computers, VCRs and televisions committed 153 burglaries in 1997 around the University of Arizona campus in Tucson, fueling a citywide increase in burglary. Police blame rising drug use for the jump in burglaries.

COLORADO — A police chase involving Denver patrol officers and two motorists ended in a multi-vehicle wreck in early October. The late night chase began after gunshots were heard, said a police spokeswoman. Officers tried to stop a vehicle speeding eastbound, but the driver kept going, finally slamming into a guard rail and causing a traffic pileup. The driver was arrested after trying to flee on foot. His passenger and three others injured in the accident were treated for minor injuries.

The name of Earl Bucher will be added to the Colorado Law Enforcement Memorial next spring — 58 years after the Weld County sheriff's deputy was killed on duty on New Year's Eve. Bucher's name was mistakenly left off when the memorial was built in 1978.

The existence of Jake's Photo Service, an alleged child porn business in a Denver suburb, was revealed in October during the trial of Ralph Wayne Angle, a convicted child molester from Highland, Ind., who was convicted of trying to buy sexual photos of young boys and trying to seduce a Colorado boy on the Internet. Jake's Photo Service was seized by Federal agents a year ago, but agents continued to take orders. The U.S. Postal Service would not say who owned the service or where it was located.

Colorado Springs police believe a man who uses a laminated robbery demand note is responsible for a string of 22 robberies in 30 days during October and November. The bandit puts the note on the counter and shows he has a gun in his pants.

A city audit released in early October concluded that the Denver Sheriff's Department took thousands of dollars from jail vending machines and spent the money on food, liquor and entertainment for an annual Christmas party; employee awards; sports team entries, and charitable contributions. Other "flagrant" management and accounting problems found by auditors include a 400-percent increase in overtime costs from 1991 to 1997, an unauthorized \$1-million annual concession contract to sell items to inmates at the county jail, and improper use of administrative

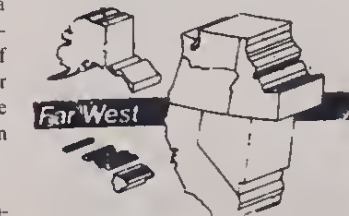
leave for on-the-job injuries, union business and labor negotiations. Sheriff's officials said the money from the vending machines was taken out of the general fund because the machines were moved from the facility's public areas. Undersheriff John Simone told The Denver Post that overtime costs are consistent with the city's swelling jail population.

TEXAS — Harlingen police officers are demanding a probe into how an assault rifle issued to veteran police detective R.D. Moore ended up in the hands of his son, Ernest, who used it to gun down Border Patrol agents Susan Rodriguez and Ricardo Salinas in July.

Dallas Police Officer Loy Marriott, 40, was fired Oct. 13 and then arrested immediately following his disciplinary hearing on charges he raped a 16-year-old girl he was questioning. Marriott, an eight-year-veteran, had been under investigation since Sept. 23 when the girl's boyfriend told authorities that Marriott, while on duty, had knocked her to the floor and sexually assaulted her. Marriott had previously been disciplined in 1991 for improperly reporting overtime, and in 1995 after a woman accused him of seeking sexual favors from her during a traffic stop.

An internal investigation has been launched into whether three veteran Dallas police officers, including Deputy Chief Danny Garcia, acted improperly when they declined to administer a field sobriety test to a fellow officer suspected of being drunk during an on-duty traffic accident. The crash occurred on Aug. 16 when Officer Wade Smith, 30, ran his marked cruiser into another vehicle. No injuries were reported at the scene. Police sources said Smith, who remains on paid leave, had a blood-alcohol level almost three times the legal limit. Apparently, traffic investigators wanted to test Smith, but Sgt. Stan Griffith told them it would be embarrassing to do it in public. Sgt. Jack Means denied that any preferential treatment was given in the case. Garcia, who was called at home from the scene, said the best decision had been made based on the information at hand.

UTAH — Some \$63,000 in bogus cash is believed to have been circulating around the state since January, Resident Agent Dennis Crandall of the U.S. Secret Service said recently. Crandall said nearly \$19,000 came from small-scale operations using home or office equipment to reproduce \$50 and \$100 bills.



CALIFORNIA — Emergency service was interrupted for 17 hours on Oct. 10 when the room that houses Los Angeles's 911 system was flooded. The backup system rerouted urgent calls to individual stations, while workers used hair dryers to clean and restore the system's delicate circuitry. The problem began when a fire erupted in a City Hall storage room. Some 2,000 gallons of water used by the sprinkler system to douse the fire seeped down and soaked ceiling-high racks of circuit boards that link 911 operators to emer-

gency dispatchers.

Since 1994, 12 prisoners have been shot to death and 32 wounded by guards in the state's prisons, the only system in the nation that uses deadly force to break up fights between inmates, according to a report by The Los Angeles Times. Lawsuits stemming from the deaths have cost the state \$6 million.

A Federal judge in San Francisco has thrown out a lawsuit by anti-logging protesters whose eyes were swabbed with pepper spray by Eureka police officers and Humboldt County sheriff's deputies. Judge Vaughn R. Walker of Federal District Court ruled on Oct. 27 that a retrial scheduled after a jury had deadlocked on the case in August was unnecessary because police did not use excessive force.

A suspected robber in a jewelry-store holdup was shot and killed Oct. 27 by San Diego police officers who hit him at least 20 times. According to police, the incident began when a mail carrier on his rounds walked in the front door of Peevey Jewelers, and one of the owners mouthed to him, "I'm being robbed." The mail carrier then called police. Three officers arrived within minutes, and opened fire after the suspect, Christopher Frazer, 34, started to draw a semiautomatic handgun from his pants. One officer was wounded.

The city of Santa Monica had its sense of security shaken in October when three murders were committed within a single week. One of the victims was a German tourist, Horst Fietze, 50, who was due to leave the United States the next day to return home. Fietze, his wife and another couple were approached by three strangers behind a luxury hotel near the beach. The strangers demand money and, in an ensuing struggle, shots were fired. Two people were arrested in connection with the slaying, but were released for lack of evidence. The other two homicides involved former gang members, one of whom was shot outside a drug rehabilitation center and the other in a market.

A group calling itself the October 22 Coalition held its third annual protest in Los Angeles against police brutality last month. More than a thousand demonstrators marched past the department's Parker Center headquarters, parading a float depicting the Grim Reaper in a police uniform. The marchers included community activists, clergy members and others.

IDAHO — A plan to make the state's 4,000 prison inmates share the cost of their own medical treatment took effect Nov. 1. The policy is expected to return \$30,000 to \$40,000 a year to the Department of Corrections.

OREGON — A difference in management styles was cited as the reason North Bend City Administrator Gary Marks fired Police Chief Gil Zaccaro Oct. 22 — one day after Zaccaro celebrated his 25th year as a law enforcement officer.

Douglas County sheriff's deputies Coy Kratz and Jeffrey Admire were injured in a gunfight with suspected marijuana grower Lewis McClendon on Oct. 30. McClendon died in the shootout, which erupted as the deputies tried to serve a search warrant.

Grim picture emerges of violence against women

A groundbreaking study on the prevalence of violence directed against women paints a disturbing picture of women in intimate relationships being slapped, kicked, choked and pushed by their partners at a rate far exceeding the same abuse suffered by men — a finding that flies in the face of previous data, according to researchers.

The new report by the National Institute of Justice, "Prevalence, Incidence, and Consequences of Violence Against Women: Findings from the National Violence Against Women Survey" examined the experiences of 8,000 women and an equal number of men through telephone surveys conducted from November 1995 to May 1996. Respondents were asked about physical assaults they experienced as children at the hands of adult caretakers; violence as adults by any type of perpetrator; and any forcible rape or stalking experience they endured at any time in their life.

The extreme youth of female rape victims was among the study's key findings, with some 22 percent of respondents saying they had been the victim of a completed or attempted rape before the age of 12. The study also found that 76 percent of women who had been raped or physically abused since the age of 18 were victimized by a former husband, cohabiting partner or date. The figure stands in stark comparison to the 18 percent found for men, who were far more likely to be the victims of violence committed by strangers or acquaintances, according to the study.

Figures from the NVAW survey showed a higher level of victimization of both men and women who were physically assaulted during a 12-month period. While a 1994 estimate by the National Crime Victimization Survey placed the number of aggravated and simple assaults perpetrated against women age 12 and older at 4.1 million and 5.7 million for men of the same age group, the NVAW survey found the figure to be as high as 5.9 million for women and 7.9 million for men.

The NVAW survey also estimates that 1.9 million women are physically assaulted each year in the United States, an average of 3.1 incidents per victim. The severity of these attacks ranges from hitting and slapping to being threatened with a gun. Some 52 percent of female respondents said they had been physically assaulted by adult — whether a caretaker or not — while still a child.

It is in the realm of intimate partnerships that the survey's findings of violence affecting men and women are strikingly disparate, however. In intimate partner relationships, the survey found glaring differences in the level of violence directed at women by men compared to the reverse. For example, during the year preceding the study, 1.3 percent of women were physically assaulted by an intimate partner, compared to 0.9 percent for men. Some 22.1 percent of women, or more than 22 million nationwide, have been hurt by an intimate partner during their lifetime, compared with just 7.4 percent of men.

"There are a couple of things going on here with regard to previous research," said Dr. Patricia Tjaden of the Center for Policy Research in Denver, who conducted the study along with a colleague, Dr. Nancy Thoennes. Tjaden noted that the conclusion drawn by the Family Violence Survey, a report pre-

pared by researchers at the University of New Hampshire for the past 20 years, is that men and women are at equal risk for physical assault by intimate partners. "We very clearly found the opposite," she told Law Enforcement News. "It contradicts a whole body of literature out there."

The NVAW study looks at violence over a lifetime as opposed to just one year. "Women are at far greater risk to be physically assaulted — raped as well — over their lifetime than men," said Tjaden. "Also, just as importantly, we found annually that [the percentage] is significantly greater."

Women are also the recipients of more extreme violence in an assault by a male partner, said Tjaden. The study found that during her lifetime, a female endures a total assault by a partner 22.1 percent of the time as compared with a male partner's 7.4 percent. A more serious attack, such as being pushed, shoved or grabbed, happens to women 18.1 percent of the time as compared with just 5.4 percent to men. Women are also threatened with guns at a rate of 3.5 percent compared to 0.4 percent for men, and with a knife 2.8 percent, compared to a man's 1.6 percent.

Another of the study's most significant findings was how young rape victims often are, and its possible link to subsequent sexual abuse. Of the 54 percent of women who responded that they had been raped before the age of 18, 18 percent said they had also been raped later as an adult. That figure stands in contrast to the 9 percent who did not report being raped until the age of 18. Using a definition of rape that includes forced intercourse, the NVAW report found that it is primarily a crime against young women. In fact, 18 percent of female respondents said they had experience a completed or attempted rape at some point during their lives. Of those, 22 percent were under the age of 12 when they were violated, and 32 percent were between the ages of 12 and 17.

The study's findings illustrate the need for greater emphasis on prevention and addressing the issue of rape at an earlier age, since children are so heavily affected, said Dr. Eve Buzawa, a professor of criminal justice at the University of Massachusetts-Lowell. "It is one of the biggest predictors of subsequent victimization," she said.

Overall, the NVAW survey reports a higher number of rapes than comparable estimates by the NCVS. In 1994, for example, the victimization survey found 432,100 rapes and sexual assaults of women age 12 and older and 32,900 rapes and sexual assaults of men age 12 and older. By contrast, the NVAW report found 876,100 rapes perpetrated

against women in that age group and 111,300 against men.

The disparity in the two studies' figures serves to underline the raging debate about the reliability of rape statistics. Another data set, the FBI's Uniform Crime Report, shows a 12-percent decline in rape since 1993, but the numbers only reflect those offenses reported to police. Buzawa explained that with little effective resolution when there is a relationship between a victim and an offender, and given the high percentage of such incidents, many victims decide not to go forward.

"There is not the same mandatory prosecution of rape cases as there is with domestic assault cases," she said. "Victims have far more discretion in responding to those sorts of cases and evidence tends to indicate that rape reform legislation has not been successful in protecting victims."

Tjaden contends that much of the discrepancy has to do with differing methodologies. One of the reasons she believes the NVAW came back with figures for rape that are twice that of the NCVS was because interviewers stayed away from "loaded" terms — even the word rape — and asked extremely specific, behavior-oriented questions.

In earlier surveys, noted Buzawa, rape victims did not consider themselves such unless asked specific questions. She pointed out that researchers preparing a national survey of college campuses found that only 27 percent of those who fit the legal definition of having been raped considered themselves victims.

"There are a lot of questions out there," said Tjaden, "and we're getting better and better" at compiling reliable data.

The NVAW survey also found that women are significantly more likely to be injured during a assault. About one in three, the study said, require medical care after being raped or physically assaulted. The study also found a difference in the prevalence of reported rape and physically assault among women of different ethnic and racial backgrounds. Hispanic women, it said, are the least likely to report a rape.

The report also found that stalking, by which the victim feels a high level of fear, is more prevalent than was previously believed. Eight percent of women surveyed and 2 percent of men said they had been stalked at some point in their lives. The survey estimates that approximately 1 million women and 371,000 men are stalked annually in the United States.

"Given these findings," the report stated, "stalking should be considered a serious criminal justice and public health concern."

Is the NYPD serious about abusive cops?

Despite two tragic murder-suicides this year and a double-digit increase in the number of domestic-abuse complaints made against members of its own ranks, the New York City Police Department has failed to aggressively root out and punish batterers, say law enforcement and domestic violence experts.

During the first 10 months of 1998, the NYPD received 821 complaints of domestic abuse by officers, running the gamut from threats to actual assaults. The figure represents a steep 40-percent increase over the total for the same period last year. More than 120 officers have been arrested on charges relating to domestic violence in the past three years; 162 were suspended without pay, and 13 were fired.

Given the size of the 40,000-officer force, First Deputy Commissioner Patrick Kelleher conceded that the department had a "relatively small, but very serious" problem.

In September, Officer Patrick J. Fitzgerald, a patrolman assigned to the 34th Precinct in Manhattan, shot and killed his wife and the couple's two young children, then took his own life at their home in Orange County, N.Y. Relatives of his wife, Leeanne, maintained that she had called her husband's station house to report domestic abuse, but officials said they could find no records of any calls.

On Oct. 20, Det. Fredrick Jesselli, 48, of the 122nd Precinct detective squad, killed his wife, Officer Monica Jesselli, at their Staten Island home and then took his own life.

In May 1997, Bliss Verdon, a 25-year-old social worker in Queens, was shot to death in a phone booth by a former boyfriend, Transit Police Officer Rodney Dilbert. Dilbert, who had been stalking Verdon, shot her eight times, then killed himself. Verdon had complained several times to police, and even had a sergeant come out to her home and talk to Dilbert over the phone. No report was filed to the Internal Affairs Bureau, however.

"These women are really all alone out there," said Maria Guaracino, of the Catholic Archdiocese of New York, who counsels victims of police spousal abuse. "There are just so few places for them to turn."

FBI Special Agent Donald C. Sheehan, who is coordinating the bureau's effort to reduce police family violence told The New York Times: "New York hasn't been able to get a grip on the problem. What it takes is a commitment from the high-

est level of the department and we just haven't seen that yet."

There is little evidence that NYPD officers are punished any more severely for domestic abuse than for other, less egregious transgressions. For example, Officer Anthony Nieves was caught sprinting onto the field at Yankee Stadium while off duty to high-five a player in 1995.

Nieves was already a suspect in the murder of one girlfriend when he was arrested for harassing another. The woman claimed he scaled her fire escape and broke the window of her apartment after a fight. Personnel records held by police administrators at the time of the arrest knew Nieves was a murder suspect.

His escapade at the stadium earned him a 30-day suspension; his arrest on harassment charges, a 29-day suspension. Nieves, who has since been returned to full duty, was never charged in the murder, although he remains a suspect.

While the Police Department is trying new policies, including a pilot program in which officers with a history of domestic violence attend an eight-week conflict resolution and stress reduction course, it has not enacted the full-scale approach to curbing domestic violence that other major city departments have.

In Los Angeles a five-member investigative team was created last year to work solely on accusations of battering by officers. Baltimore operates under a "zero-tolerance" policy whereby the department fires any officer found to be involved with domestic abuse. Nine of the 49 officers who were the subject of domestic abuse complaints this year were fired.

By way of contrast, the NYPD fired just two, even though the department is 10 times the size of the Baltimore agency. Since 1995, when an officer was killed in a domestic dispute, NYPD policy has called for a captain to respond at the scene whenever a domestic abuse complaint is made against an officer.

The zero-tolerance approach, Kelleher told The Times, would be "the easy way out," since it would absolve officials of having to weigh the merits of each case.

The department is reportedly planning to expand its stress reduction course, and it may also begin working with suburban police agencies to make sure they are informed of any domestic abuse complaints made against officers who live outside the city.

Talking back:

NOPD to make crime maps interactive

Detecting crime trends will become a two-way street in New Orleans, with a plan by police to feature its Comstat crime maps on the department's Internet site — thus giving residents an opportunity to track crime in their own neighborhoods and relay important observations back to police.

Dotted maps will show the approximate locations of major crimes committed in the city, without giving times

or dates. That omission will change within the year, however, with the development of a software program by the University of New Orleans that will eventually permit users to get that and other information off the site.

"The release of timely and street-specific crime data to the public should take community policing to another level within this city," said Raphael Goyeneche, director of the Metropoli-

tan Crime Commission.

The site — <http://www.acadiacom.net/nopd/index.htm> — was unveiled in November, and Goyeneche saw an opportunity to put both the site and the department's computer-generated crime analysis maps to even greater use.

"We went to Deputy Chief [Ronald] Serpas [head of the Operations Bureau] and asked him if we could use the Comstat model to present similar maps

to citizens through the Internet, so they could be informed about crime in their own neighborhoods and help the department with important feedback from their own observations," he told The New Orleans Times-Picayune.

The crime commission was able to argue successfully that such a feature would enhance police credibility in the face of allegations that crime was being underreported.

It can be done

In a county where one of the nation's last public lynchings of a black man took place in 1930, they said it couldn't be done. No black person could ever be elected sheriff of the 91-percent white Grant County, Ind. But like so many times before in his life, Oates Archey's indomitable spirit carried the day.

Archey, a 61-year-old former FBI agent, beat his Republican opponent on Nov. 3 to become Indiana's first black sheriff. He will assume command of an agency that has more than 40 deputies, only two of whom are black.

Why did Archey, who was one of the investigators in the Patty Hearst kidnapping case, choose to go back to a town that seemed only to want to keep him in his place? "This is my home, no matter what they've done to me here or what they will do to me," he told The Associated Press. "Along the way I've met a lot of people, but my lifelong friends are here."

Archey was born seven years after the public lynching, in which the county's white sheriff let hooded Ku Klux Klansmen drag two black teenagers out of jail and string them up outside the Marion courthouse. He grew up in a segregated community that forced him to become a school janitor cleaning toilets after he had studied to be an educator and coach at Grambling State University in Louisiana.

Eventually, Archey was made a teacher — the first black to teach in Marion history. In 1969, he became an

assistant track coach and physical education teacher at Ball State University in Muncie.

During his summers off in Marion, he had found extra work as a probation officer and at the juvenile detention center, which led to his joining the FBI in 1973. He became the agency's 85th black agent.

During his 20-year career with the Bureau, Archey not only worked on the Hearst case, but inspected the billfold of John Hinckley Jr. after President Ronald Reagan was shot in 1981. While running private security in 1994 at the World Cup soccer championship in Pasadena, Calif., Archey, then recently retired, had the honor of escorting Brazilian soccer legend Pele, singer Whitney Houston and musician Kenny G onto the field before the game.

"That's when my life flashed before me," said Archey. "Here's the kid that used to be the janitor. From the toilet bowl to the Rose Bowl."

Reflecting on his new job, Archey said he doesn't think about being the county's first black sheriff, only its best sheriff.

Breaking ground

Law enforcement needs racial and gender diversity to deal with the many types of people it serves, and in Charlottesville, Va., it will soon get both in the person of Cornelia D. Johnson, the city's first black female sheriff.

Johnson, 54, ran unopposed in the Nov. 3 election. A 23-year veteran of the Charlottesville Police Department, she will replace David L. Duncan, who has served as interim sheriff since March when J.W. Rittenhouse left office to become police chief.

"I think it's important that we have women interested in law enforcement," said Rittenhouse. "We need diversity, and women bring a very special talent in dealing with the folks that we deal with in law enforcement."

What's in a name?

The New Yorker magazine essayist "Marcus Laffey" regularly and eloquently explores both the grief and pleasure that goes along with being a cop in New York City. That's because "Laffey" is actually the pseudonym of Edward W. Conlon, a 1987 Harvard graduate and NYPD police officer.

Now Conlon is gearing up for the prospect of an even bigger forum for his musings. In October, he signed a book deal, worth a reported \$995,000, for a memoir with the working title "Blue Blood." Publication is tentatively set for 2001.

As an Ivy League graduate and member of a law enforcement family — Conlon's great-grandfather was a Brooklyn police sergeant and his father an FBI agent — he is vested in two worlds. Explaining why he joined the force in "Cop Diary," a 1997 article, Conlon wrote: "My father died before I went on the job, but I think my decision to become a cop would strike him as an affront to how far we've come from the hardscrabble west of Ireland

Diversity gone haywire

Sergeants sue, saying their race led to involuntary transfers

Two black New York City police sergeants have charged in a multimillion-dollar civil suit that they were involuntarily transferred on the basis of their race to Brooklyn's 70th Precinct, the station house where four white officers are accused of brutally attacking a Haitian immigrant in August 1997.

Sergeants Philip Tai and John S. Robertson said in their lawsuit, which was filed on Nov. 18 in United States District Court in Manhattan, that they had suffered emotional distress and embarrassment because of their transfers on Aug. 9, 1997.

Robertson, a 12-year veteran previously assigned to the 69th Precinct, said in court documents that he was "not treated as a police sergeant." The decision to transfer him, he said, was based on his being a black person. Tai, also of the 69th Precinct, asserted that he felt "violated" and suffered "psychic shock."

Neither sergeant said he had been mistreated by colleagues at the 70th Precinct. Their attorney, Peter J. Blessinger, said the suit was filed because the transfer orders were based solely on the sergeants' race.

"In a city like New York, you can't assign police personnel based on race, religion or gender because a particular community requests them. It's impossible," he told Law Enforcement News. "Are you going to go toward language, religion, national origin or race?"

Blessinger conceded that it is within Police Commissioner Howard Safir's prerogative to move personnel wherever he sees fit, but said a police sergeant should not be treated as a black

police sergeant. "If you are going to move three sergeants someplace, move three sergeants," he said. "But you can't move them just because they're black."

In the aftermath of the beating of Haitian immigrant Abner Louima, Safir publicly announced his intention to transfer more black officers into the 70th Precinct, which was then 74 percent white. At the time, his

As the Louima scandal escalated, Safir had said at a news conference: "I think we need to move some more Haitian police officers into the Seven-O who can relate to that portion of the community that is Haitian. We need to move some additional African-American police officers into the Seven-O."

But, as Liebman said in an interview with The New York Times, the U.S. Supreme Court has ruled that personnel decisions must be race-neutral.

"If the Police Commissioner decides that white officers are good on Madison Avenue and assigns them there and that black officers are better in other places, my prediction is that the court will say that this is not satisfactory," he said.

Juxtaposing community needs against an individual officer's career path entails a delicate balancing act that needs attention not only from the commissioner but from the entire command staff, said Robert Stewart, executive director of the National Organization of Black Law Enforcement Executives.

It is crucial, he told LEN, that all of an organization's units are diversified to as great a degree as possible without penalty to officers. "The systems must be in place to have officers coming out of the academy and moving through ranks proportionately so you don't have to resort to transfers," Stewart said.

The sergeants' lawsuit, he observed, underscores the critical need to have such a system in place for arranging the diversity of station houses so that transfers are not made under such conditions.

NYPD supervisors reject reassignment to precinct that was the scene of alleged brutality incident.

decision to shift at least 10 minority officers there was hailed by some as a bridge to establishing a better rapport with the community's largely Caribbean population.

Blessinger insists Tai and Johnson were chosen primarily for "purposes of convenience."

"A listing of the black sergeants in Brooklyn South was compiled and three were transferred to that precinct," he said. However, one of those had to be transferred back, he said, because he happened to live in the precinct to which he was reassigned — a violation of departmental policy.

It was Safir's comments at the time that might have given Tai and Robertson the opening they needed to sue the city, said Lance Liebman, a professor of labor law at Columbia University Law School.

and the docks of Hell's Kitchen."

Conlon first came to the attention of David Kuhn, then an editor at The New Yorker, five years ago when he submitted a proposal for an article. Kuhn spoke with Conlon at the time to suggest that he assume a pseudonym, but thought the cop would change his mind as the publication date for the first article approached. Conlon decided to stick with his Marcus Laffey byline.

"He did that because it could very well change the nature of the way people dealt with him at work," Kuhn told The New York Times. "That was

his concern at the time."

Another New Yorker editor, Alice Truax, observed that in order to write about work in a way that's natural, a writer must continue to have a natural relationship in that environment. "I immediately understood that exposure would change this cop's relationship to his professional world. For the worst, I would say."

Conlon's second career as a writer has been known to his superiors in the department from the beginning, and has not caused any problem. He is not violating any conflict-of-interest regula-

tions, said Insp. Michael Collins, a police spokesman.

Whether or not Conlon will forgo the pseudonym now that his name has been made public is anyone's guess, and thus far the officer has not commented on the matter. "This is about the author's personal wish to not have his life turned upside down," said Christopher Knutsen, Conlon's editor at Riverhead Books.

Conlon is not about to blow the lid on any police secrets, Knutsen said of the forthcoming memoir. "That's not the point of his book."

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And the winner is...

It's almost time for the annual LEN Year-in-Review issue. Who will win the coveted "Person of the Year" honors? Don't try dialing 911 for the answer. Just stay tuned for the big end-of-year double issue — coming soon!

HUD grants target drugs in housing units

The states of North Carolina and Arkansas and the city of Philadelphia are among jurisdictions nationwide that will receive millions of dollars this year from the U.S. Department of Housing and Urban Development to fight drug use and eliminate drug selling from both public and privately-owned housing developments.

HUD expects to distribute more than \$305 million this year under the Drug Elimination Grant program — more than in any previous year. The grants include \$280.6 million to 749 public housing authorities, \$8 million to 39 Indian tribes and \$16.6 million to 143 privately-owned housing developments that receive Federal assistance.

Since 1989, the Federal agency has given out more than \$1.6 billion in drug-elimination grants.

In public housing, this year's grants will be used for intervention, prevention and treatment programs, reimbursing law enforcement agencies for providing officers, starting resident anti-crime patrols and improving security through environmental design. The grants for Federally assisted housing will also include payment for referrals to drug treatment and counseling.

The Philadelphia Housing Authority was awarded \$4.6 million from HUD, which will be used to expand community policing at five housing developments in North and South Philadelphia, including the Richard Allen Homes, the Norman Blumberg Apartments and Martin Luther King Plaza. This year will mark the third consecutive year that the agency has been allocated Federal funds for anti-crime initiatives.

Public housing agencies in the Triangle area of North Carolina will receive \$1.2 million. The cities of Durham and Raleigh will receive \$533,020 and \$512,720, respectively. Other cities, including Chapel Hill, Rocky Mount, Sanford, Selma, Greenville and Wilmington, will also

have drug-elimination programs funded by HUD this year.

According to Capt. Bruce Hickman of the Wilmington Police Department, the \$386,620 the city's housing authority received from HUD will go much further than just the salaries of the four officers assigned to its housing developments. Hickman has placed those officers in special operations along with the department's Problem Area Tactical team and other units.

Last month, the PAT team and the housing squad coordinated on drug-interdiction efforts within the housing developments' common areas. Although housing officers cannot bust dealers at those sites, Hickman said, they can check for trespassers who do not have proper identification and then have the PAT team make the arrests.

"It's working real well for us," he told Law Enforcement News. "The stats of our housing officers on drug arrests are really promising."

In Raleigh's Halifax Court, a development that once suffered nightly drug-related crimes that worried both residents and neighbors in the nearby community of Mordechai, the city was able to use Federal funding to improve a bad situation beginning in 1994 when an earlier HUD grant allowed it open a police substation there. Within just two years, crime there had been cut in half.

Raleigh officials said the latest grant will be used on various drug and treatment programs.

Another city that plans to use its HUD resources on prevention is Hot Springs, Ark., which received \$112,500 in addition to \$154,620 it received in 1997.

The larger of the two grants will be put to use expanding a day care center within one of the city's three housing developments. With the addition of another child care aide, the center will be able to provide care for seven more children.

"The way we look at it, people who

Wilmington PD makes the most of its Federal housing grants

Without the Federal grant money awarded to the Wilmington, N.C., Housing Authority this year for drug prevention and enforcement, the city's Police Department would not be able to cover the eight housing developments spread throughout the area with the high degree of coordination it does now, says Capt. Bruce Hickman.

"They get an inordinate amount of protection — much more than the average citizen does," he told Law Enforcement News.

Thanks to a \$367,622 drug-elimination grant from the U.S. Department of Housing and Urban Development, the Wilmington Housing Authority contracts with police for four assigned officers. But the resources don't stop there. The Police Department takes a holistic approach to patrolling the housing projects, using its housing officers where they have authority and involving other units as needed.

For example, housing officers and the department's Problem Area Tactical team work jointly on drug interdictions. The housing unit catches those selling drugs within the development, while the PAT team arrests those dealing in a development's common areas, where housing officers have no jurisdiction. The suspects are then turned over to a city-county vice and narcotics unit. Conversely, a bust by the city-county unit will include housing officers because they are the ones with keys to the developments' apartments, cutting down on the need to break open doors.

In terms of prevention measures, Hickman says the department utilizes its DARE officers to work with youngsters in the projects. "We do K-9 demonstrations, showing the kids how the dogs find narcotics."

Another strategy that the grant helps pay for are traffic stops within the developments. While police are always looking for that isolated car

containing a quantity of drugs, they still manage to find everything from DWI offenders to drug violators and more, he told LEN. "If we didn't have that kind of funding, we wouldn't have the housing officers in a position where they are able to give us the intelligence we need to coordinate these efforts."

One of the best means of gathering intelligence that Hickman has found is putting his housing officers on bicycles. Once they've driven to the site, the officers take off on their bikes, moving easily through the area.

"They develop a lot of information we can use," he said. It's the kind of approach that is simply not possible with the department's regular beat officers, who are constantly responding to calls, Hickman explained. "I'd love to have 'em out there, but realistically, we don't have the manpower."

are working have less time to be involved in illicit behavior," said Natalie Caldwell, the resident initiatives coordinator for the Hot Springs Housing Authority. "We're trying to keep everybody working and comfortable and safe," she told LEN.

To that end, the lion's share of the newer and smaller grant, roughly \$88,000 of it, will pay the salaries of the two officers assigned to the development for two years. Caldwell said the officers are expected by their chief to attend any of the youth programs the

housing authority offers at the development, such as Bridging the Gap. The officers are also present at resident council meetings and conduct security briefings for new tenants.

An apartment has been converted for their use, with the Federal funds paying for computers, night vision scopes and video gear. Some of the money will be spent on physical improvements in security, such as better lighting, screens, fences and cameras.

Over the past five years, Hot Springs officials have seen a marked decline in

crime since adding the officers to its public housing sites. "The only thing that has gone up is our reports, which shows the police are out there," Caldwell told The Arkansas Democrat-Gazette.

Hot Springs is just one of 13 cities in the state to share in more than \$3 million allotted by HUD. Said HUD Secretary Andrew Cuomo, "These grants are good news for some of the poorest families in Arkansas and bad news for the drug dealers who terrorize them."

Who's in charge here?

State monitor keeps an eye on Camden PD

It took little more than a week from the time the state of New Jersey appointed a monitor to oversee the troubled Camden Police Department until the reverberations from that appointment rattled the agency at its highest levels, in the form of personnel changes that seek to eliminate several top ranking police positions.

In a letter to Lee A. Solomon, the Camden County prosecutor who was appointed monitor on Nov. 12, City Business Administrator Preston M. Taylor Jr. charged him with overstepping his authority by seeking to remove all provisional posts above the rank of sergeant. The move would result in demotions for four officers, including the two who have been jointly running the department since the abrupt resignation in October of Police Chief William Hill.

Taylor's letter claims that when state Attorney General Peter Verniero appointed Solomon, it was to carry out specific tasks — namely, improving police response time and strengthening neighborhood patrols. Verniero's intent, Taylor wrote, was not a "wholesale supplanting of management."

The extraordinary move of appoint-

ing a monitor for the Police Department is simply the latest blow to the city of Camden, which has ceded power over its budget in recent months to a financial review board appointed by Gov. Christine Todd Whitman, and control of its housing authority to the Federal Government. In 1996, state troopers helped patrol the city's streets for five months after a rash of murders.

What brought the city to its latest loss of autonomy was a 21-page review by the state Department of Law and Public Safety earlier this year, which found that there had been little change since a critical state audit in 1996.

"The fundamental conclusion is that resources are still not deployed in a manner consistent with the public safety needs of the City of Camden," said Verniero.

In fact, the findings of the latest report mirror those of the 1996 document. Little had been done, it said, to correct the department's significant understaffing, noted in 1996 and then deemed a top priority. Police activity, the new report found, had decreased by 16.8 percent between September 1995 and May 1998, yet officers actually spent

an average of 13.6 percent longer on each incident.

Community policing officers, the review said, needed to work nights and weekends when crime is more prevalent — not a 9-to-5 weekday shift. "Clearly, the various neighborhoods in Camden served by police departments do not operate strictly on a Monday to Friday, 9-to-5 basis," the report noted.

Another key finding was a "lack of professionalism" among officers in the department's communications center and unacceptable delays in response time. In one case, it took 40 minutes to dispatch officers to an emergency call about a juvenile sexual assault, a crime that demands a top-priority response.

Internal-affairs complaints needed to be better handled as well. While some progress had been made in this area over the past two years, the report said, citizen complaints about wrongdoing by officers needed to be more vigorously investigated.

Solomon's appointment to oversee the 380-member department has been welcomed by the city's two police unions. Among his first actions was a meeting with senior police officers and

union leaders. Detective Lieut. Charles Jackson, a 27-year veteran and member of the superior-officers union, said the organization will give Solomon the cooperation he needs.

"We know him, he's a pretty decent guy," he told The Philadelphia Inquirer. "He's not the kind of guy to come in and start chopping heads. We'll work with him."

However, Solomon's directive to eliminate the provisional positions of Deputy Chiefs Charles Kocher and Serapio Cruz, who have run the department as a dual command, has been rejected by city officials. While Taylor would not discuss his letter with The Inquirer, he said that Solomon had been notified that Camden would not recognize the demotions of Kocher to the rank of captain, and Cruz to that of lieutenant. Solomon's plan would also reduce acting lieutenants Raymond Garrison and Joseph Rabino to sergeants.

Kocher and Cruz were appointed on Oct. 1 by Mayor Milton Milan after Hill's departure. The chief's resignation, in part, prompted the state's actions and Solomon's directive. The prosecutor said the Police Department

had been operating without the clear chain of command necessary for effective operation.

Hill, whose resignation capped a 30-year law enforcement career, had drawn criticism for what officers complained of as his inaccessibility and fixation on details, such as wearing white shirts each day. He came under fire for failing to increase street patrols in the city's notorious drug "alley" after a shooting that left a lieutenant paralyzed. Solomon had to put an order in writing to force the chief to send patrol cars to the area around the clock.

In his defense, Hill pointed out that the city's major crime rate fell 40 percent during his two years in office. Still, Camden has the second highest rate of major crime in the state, according to State Police statistics.

Since Hill has left, city officials have been looking for either a new chief or a public safety director who could oversee both the police and fire departments. That decision will now be made in consultation with the state Attorney General's office, but with Solomon at the helm, the search for new leadership is not a priority, said Verniero.

Can we talk?

By Jeremy Travis

This year marks the 30th anniversary of the establishment of the National Institute of Justice, and, as the NIJ enters its fourth decade, my colleagues and I are once focused on the value that our research activities provide to the development of sound criminal justice policy and practice.

Why do we expect that there will be any relationship between research and practice? Why do we (or at least some of us) feel that we have failed if the translation between research and practice does not occur? What exactly do we envision when we posit a relationship between these two distinct and different activities?

I would like to build a case for a new relationship between researcher and practitioner — a relationship of constructive engagement, partnership in the development of useful knowledge, of symbiosis in the testing of ideas. We see this new relationship in embryonic form around the country and see its value, both to the research endeavor and to the development of policy. But before setting forth the elements of this new partnership model, the landscape of possible relationships between research and practice should be explored.

Imagine a world...

We could probably imagine a world in which the communities of the academician and the practitioner did not communicate, except to criticize each other. We could imagine a world in which the academic community goes about its research, maintaining appropriate distance from the nitty-gritty world of practice, publishing in academic journals and criticizing the crime policies of the country. In the same world, we could envision a community of practitioners who go about their business, doing what they thought best, criticizing the aloofness of academe, and ignoring the findings of research. Yet we clearly do not want to live in this world — we want to see some interaction between research and practice. Is that because we think the quality of practice is improved by exposure to research, or the quality of research is improved by exposure to practice? Or is it both?

Before addressing those questions, let's first consider whether we want to live in a world where there is total congruence between research and practice. Can we imagine a world in which the nation's criminal justice policies are determined by science? How would those policies actually be developed? What would they look like? Could we expect a scientific consensus about how to handle sex offenders? How to deter juvenile offending? How to

structure criminal sanctions? How to deploy police resources? How to respond to child abuse?

Certainly we would face, at a minimum, the inevitable reality of a lack of consensus in the research community about some of these policies. But more fundamentally, we must recognize at the outset that the policy-making process is necessarily messy and far removed from the discipline of scientific inquiry, involving difficult choices between competing claims on public good and governmental authority, requiring democratic consensus to achieve political legitimacy, and necessitating that action be taken before objective evaluation is possible.

So if neither world seems possible or desirable — if we prefer a world characterized

around the country in early childhood programs, particularly home nurse visitation programs. The Department of Education is limiting its funding under the Safe and Drug-Free Schools program to initiatives of proven effectiveness. Congressional funding for evaluations of crime programs has increased significantly and, as a result, the research portfolio of the National Institute of Justice has increased four-fold in four years. In sum, although we have a long way to go, this is commendable progress over a short period.

Making good

Although this is all good news, we need to be careful that we do not promise more than we can deliver. Ironically, I have come to believe

The case for a new relationship between researcher & practitioner, based on constructive engagement, partnership in developing useful knowledge & symbiosis in the testing of ideas.

by some engagement between research and practice — how should that engagement be structured? Are we close to achieving the right relationship? What are the appropriate dividing lines between these two activities?

You say you want a revolution

Thirty years ago, when the President's Commission on Law Enforcement and Administration of Justice recommended the creation of the Federal agencies that today are the Bureau of Justice Statistics and the National Institute of Justice, the rationale set forth in the commission's report was quite clear: The "revolution of scientific discovery has largely bypassed the problems of crime and crime control." Those words could be spoken today with equal conviction, yet we should acknowledge that the world has changed. Over the intervening 30 years, the capacity of the nation's researchers to implement this vision has expanded enormously. We have seen quantum increases in the numbers of criminology and criminal justice departments in our universities. We have seen operations research units institutionalized within police departments and other criminal justice agencies. We have watched as the systems for measuring crime have become more sophisticated, with the maturation of victimization surveys, indicators of fear and disorder, collective efficacy and other measures of community resiliency, hot spots and geographic analysis.

Most importantly, though, we are experiencing an increased demand to know what works. There is a constant call from practitioners to know what works to reduce crime. They have a great faith in the research community to tell them whether a program or policy is effective. At NIJ, we have been very gratified to see the response to the report we commissioned from the University of Maryland to determine what works, what doesn't and what's promising in the area of crime prevention. This report has had continuing reverberations in the Congress, throughout the states, in the professional associations and with the public at large — even internationally. Although the Maryland report cannot claim credit for all of the following, we should note these developments: Congress has required that the DARE program react to research findings that its curriculum does not reduce drug abuse. The clamor for boot camps seems to have subsided. There is strong interest

that our faith in science and our reliance on the scientific method sometimes limits our ability to influence practice. Sometimes we lapse into the erroneous belief that crime policy development should resemble the relationship between the Food and Drug Administration and the pharmaceutical industry — that researchers, using the most rigorous scientific methods available, should pronounce a particular policy or practice to be effective and then it should be adopted throughout the practitioner community.

At a recent conference on policing research, Wesley Skogan spoke about the ideal of the white-coated laboratory scientist — the ideal, borrowed from the medical field, that researchers could retreat to the figurative laboratory, conduct experiments testing the effectiveness of criminal justice interventions using the most rigorous methods possible, preferably randomized, controlled experiments, and then, a few years later, pronounce whether an intervention worked or not.

This model suffers from a number of weaknesses. First, as Lawrence Sherman has pointed out, even the medical community that we have looked to for inspiration does not live up to the ideal of medical research. He reported that an estimated 85 percent of medical practices remain untested by research evidence, most doctors rarely read the medical journals and instead base their practices on local custom and personal experience, and most studies that influence practice in fact use weak, non-randomized research designs. So before we berate ourselves for not living up to the medical ideal, we should recognize that even that profession, which had a tradition of espousing a strong relationship between science and practice, is apparently having great difficulty living up to that ideal.

Object lesson

Second, even where we approximate the ideal of the medical model, we should recognize that the business of crime prevention often implicates values that cannot be subjected to empirical assessment. In our business, the policy-making process responds — appropriately, in my view — to competing values that tend to limit the impact and reach of research findings.

Consider a brief recounting of recent policy development in the area of police response to domestic violence. In the early 1980s, the Police

Foundation published a landmark research report showing that arrests for misdemeanor spousal assault in Minneapolis significantly reduced subsequent violence. Within a short period of time, a large number of police departments shifted their domestic-violence policies to ones that favored or mandated arrests. Although there were a number of other factors at work at the same time pushing police policies in the same direction — principally, the fear of litigation and pressure from feminist critics — this rapid shift in police practices was celebrated around the country as an exemplary translation of research into policy.

The replication studies of the original Minneapolis research painted a much more complex picture, however. For certain categories of offenders (specifically those who are unemployed), arrests for misdemeanor domestic assault actually resulted in higher levels of violence. When police policy did not follow these latest research findings, some researchers saw the failure of police agencies to curtail their mandatory arrest policies as an inexcusable dereliction of duty, bordering on malfeasance, because those policies contributed to domestic violence.

This story illustrates a number of points about our expectations regarding the process of translating research into practice. First, it underscores the fact that other values come into play in the policy-making process. For example, if the police had promulgated a policy stating that the decision to enforce the laws against spousal assault depended upon the socioeconomic status of the offender, as the research would suggest, they would violate an important, overriding principle of our democracy — that the laws should be equally enforced against rich and poor alike. In this instance, the police appropriately demonstrated concern about the principles of equal protection of the laws in deciding to institute pro-arrest policies and to sustain them even in the face of mixed findings regarding the impact of arrest upon subsequent violence.

The price of principle

Do not misunderstand: I don't dismiss lightly the findings that arrests of unemployed men for misdemeanor domestic assault tended to increase the likelihood of violence. One could argue that continuing a pro-arrest policy would certainly result in some new violence, a high price to pay for observing a legal principle. To me, this dilemma — of choosing between policies based on research and policies based on other sound principles of governance — points to the need for a different relationship between researcher and practitioner.

Imagine that the replication research on spousal assault had been conducted as part of an ongoing relationship between researchers and practitioners concerned about developing the most effective response to domestic violence. Imagine that the researchers and practitioners were committed to a common goal — developing policies that resulted in reductions in domestic violence. And imagine that the researcher recognized that, for a variety of reasons, the police practitioners could not adopt differential arrest policies for different victims or different offenders.

In this context, the spousal assault replication findings would trigger a new inquiry — how to fashion and test policies that might assure the safety of the women. A variety of interventions might be tried: different bail policies, orders of protection, relocation of victims, electronic monitoring, substance abuse treatment, job placement. Through a combination of offender- and victim-focused activities,



(Jeremy Travis is the Director of the National Institute of Justice. This article is adapted from his keynote address before the recent annual conference of the American Society of Criminology.)

Note to Readers:

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Yes, let's!

the agencies of the criminal justice system would be challenged to reduce the levels of violence, and those efforts would be subject to continuous monitoring and evaluation by the independent research team.

Strategic feedback

This relationship between researcher and practitioner represents the new partnership model that I believe holds such promise. Wes Skogan calls this the strategic feedback model of research. Another story illustrates this model.

Four years ago, the NJ funded Prof. David Kennedy of Harvard University's Kennedy School of Government to work with the Boston Police Department to reduce juvenile violence. This was not the typical application for NJ's research program. Truth be told, there was not much of a research design to sink your teeth into. Still, we took a chance with this proposal, in large part because the Kennedy School proposed to enter into a unique relationship with the Boston Police Department and other criminal justice agencies in that city. They proposed what Skogan now calls "strategic feedback" — working with those agencies to develop an empirical understanding of the juvenile homicide problem, developing testable hypotheses about possible interventions, collecting data while those interventions were implemented, and providing ongoing feedback to the strategic team about the results seen in the streets of Boston. Over the course of the next few years, the research project underwent several transformations. First, it resembled a study of gun markets. Then it morphed into a study of youth gangs, then into a study of targeted deterrence strategies. These transformations were not dictated by the whims of the research team, but in response to evolving insights about the world of juvenile violence in Boston and what might be done to reduce the violence.

Although David Kennedy and his colleagues would be the first to disclaim credit for these results, the changes in the level of violence in Boston have been stunning. After experiencing record levels of youth handgun homicides, Boston can now boast that it has cut youthful gun homicides to the point where the kind of homicide is a rare event.

A new way of thinking

NJ has been watching Boston with great interest because of its implications for a new relationship between researchers and communities developing anti-crime strategies. With the strong support of Attorney General Janet Reno, we are now engaged in a very ambitious five-city experiment called the Strategic Approaches to Community Safety Initiative — or, since everything must have an acronym, SACS. In these five cities, we have asked the United States Attorney to convene a strategic planning team consisting of Federal and local law enforcement officials, criminal justice agencies and other community stakeholders to identify the most pressing crime problem facing that community and develop a strategy to bring that crime down. In each city, we have also required that there be a research partner at the table, one who will perform a function very similar to that played by David Kennedy and his Harvard colleagues.

The first finding from this five-city project is that this way of thinking is totally new — new to the prosecutors, new to the police, new to the other city agencies — and, in interesting ways, quite new to the researchers. Some researchers have embraced this challenge — one said this was the opportunity he had been waiting for for

17 years. Others find the challenge quite foreign and intimidating. The second finding from the project — and from Boston — is that this process takes a long time to get underway. In Boston, collaborative work didn't get started until more than nine months after the first meeting between researchers and practitioners.

A third important finding is that the crime problems are not what they first seemed. The greatest contribution that the research partners make to this strategic-approaches initiative is to help the practitioners understand their crime problems. Who is involved? Where is it happening? What are the different types of criminal behavior involved? Who is killing whom? Where are rapes being committed? Which kids are involved with which gangs? I don't mean to imply that none of these questions could be answered by the police and prosecutors. On the contrary, the front-line workers often have the best insights into these problems. Yet I have observed that the responses to the crime problems that are developed at the agency level are rarely based on the type of analysis or front-line insight that reflects a true understanding of the phenomenon.

Our hope is that the SACS project will yield important advances in our understanding of the effective response to crime. This has already been the case with the Boston Gun Project. David Kennedy's "pulling levers" hypothesis has made enormous contributions to our thinking about deterrence and the role of the criminal justice system in producing safety. More fundamentally, it is our hope that the SACS project and similar initiatives will add another tool to the scientific toolbox at our disposal. Clearly, this type of research involvement with practitioners is far removed from the medical model of the white labcoated technician. Nor is it the same as a management consultant who does not have the independence and methodological rigor of a university-based academician.

Contact your local expert

Larry Sherman recently pointed out another useful analogy. Maybe we should develop a cadre of criminal justice researchers who perform functions like those performed by the agricultural extension service — research-trained experts based in universities or other research institutions who are intimately involved with the welfare of the practitioners in their communities, who keep abreast of the latest scientific findings and convey those findings to practitioners who are interested in improving their yields. Imagine that we could fund the universities around the country to

provide a crime prevention extension service that would be engaged in constructive partnerships with the police, prosecutors, courts, corrections and communities to help them devise and implement strategies to produce safety.

To help make this new partnership effective, we need to develop new ways for such researchers to measure the crime problems facing their communities. As we watch the five-city initiative unfold, we have come to realize that not all communities are equipped with the same sources of data. Not all of them have incident-based crime reports. Not all of them are participating in the Arrestee Drug Abuse Monitoring program that would help them track

approaches to the challenges of crime. The police profession has undergone remarkable transformations over the past 25 years. The police have moved toward a more sophisticated, flexible, problem-solving model of policing that involves a wide array of non-police entities in both strategic and tactical decision-making. At its core, this problem-solving technology builds upon a strong research foundation. At its best, the problem-solving process begins with an empirical understanding of a crime problem, moves toward articulation of the logic — or the hypothesis — of an intervention, and incorporates an ongoing assessment of the effectiveness of that intervention.

The research profession needs to catch up

"I don't know which is more difficult — changing police culture or changing academic culture — but each will have to find ways to value the role of the other."

drug markets. Not all of them are participating in the ATF's gun-tracing program that would help them track illegal gun markets. They do not routinely conduct fear and victimization surveys, nor do they geo-code their data. As such, NJ's next initiative in this area, working with colleagues in the Department of Justice, will be to develop and implement a model set of crime data systems in a small number of jurisdictions to help the strategic planning process move forward.

This program, to be known as COMPASS, for Comprehensive Planning and Analysis for Safety Strategies, will be developed this year. We will soon be selecting our first COMPASS site, and are looking for a jurisdiction that can quickly implement these various systems of measurement at the jurisdictional level and can implement even more comprehensive measures of collective efficacy at the neighborhood level. We are looking for a jurisdiction where there is a strong tradition of collaboration and experimentation, both at the jurisdiction and the neighborhood levels.

Playing catch-up

As we look ahead to the next decade of innovation in the relationship between research and practice, we must recognize the need to construct a national research infrastructure that will support a much more complex set of

with policing and to define a role in the problem-solving process. The research community needs to find ways to bring its analytical skills, its objectivity, its rigor, its independence, its ability to link theory and practice, into the messy arena of contemporary practice. Larry Sherman calls this approach "evidence-based policing," a phrase he borrows from the medical field. In the Department of Justice these days, we are talking about the need for data-driven crime prevention policies. Both of these phrases capture a new relationship between research and practice — an interactive, symbiotic relationship that requires new skills on both sides of the partnership.

To succeed, this new partnership also requires support from both professions — those practitioners in the crime control and prevention business need to support the involvement of researchers in the development of their strategies and tactics. Those in academia need to support their colleagues who seek to undertake this form of research, and not relegate them to second-class citizenship because they are not engaged in more traditional research functions. I don't know which is more difficult — changing police culture or changing academic culture — but each will have to find ways to value the role of the other.

This transformation of the partnership between research and practice is important not

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Letters

Shedding light on the LAPD

To the editor:

I would like to take this opportunity to further clarify your story, "LAPD Survey Plays Down Link Between Aggressive Policing & Racist Attitudes" (Sept. 30, 1998). What the survey did not address was the fact that over the past 25 years, the Los Angeles Police Department has been a leader in pursuing the community policing philosophy, as evidenced by the Basic Car Plan, Team Policing and DARE. The Christopher Commission challenged us to establish true partnerships with the communities we serve, and I believe we have done so.

One of my first objectives upon assuming the office of Chief of Police was to keep emphasizing community policing, which I did immediately by

reorganizing the department. Under the new LAPD, and for the first time, we are making a concerted effort to institutionalize community policing throughout the organization. Simply put, the reorganization has enabled us to more effectively utilize all of our personnel resources, instead of just a select group of Senior Lead Officers, to develop positive, cooperative and productive partnerships with the residential and business communities we serve.

I could not agree more the survey results: an aggressive policing model does not automatically create a racist organization, nor does there have to be a conflict between aggressive police work and community policing. The department has implemented zero-tolerance policies against racist attitudes and police misconduct of any kind. Most importantly, these policies are equally

matched by management's commitment to provide training, education and positive reinforcement to root out problem officers and to prevent problems before they occur.

Los Angeles has experienced a significant decline in Part I crime during 1998. Murders are down by 33 percent over 1997 levels, and Part I crimes are down 13 percent overall. I believe there is a direct correlation between the decline in crime and the department's commitment to community policing and problem-oriented policing strategies. What the survey truly measured was this department's accountability and responsibility to the many varied and diverse communities that it protects and serves.

BERNARD C. PARKS

Chief of Police

Los Angeles Police Department

On-line humiliation for traffic violators

Conn. department's Web site to list offenders

The West Hartford, Conn., Police Department is hoping it can shame speeding motorists into going a little easier on the gas pedal by publicizing the names of drivers charged with traffic infractions on its Internet Web site, www.west-hartford.com.

The initiative is considered positive peer pressure by Police Chief James Strillaci and other public officials. "We can hand out tickets till we're blue in the face," he told *The Hartford Courant*, "but the same old tactics don't work anymore."

On Nov. 17, the department began posting the names of speeders and scofflaws. And while it may well be the first police department to list its traffic violators on its Web site, according to Jack Grant, state and provincial division manager with the International Association of Chiefs of Police, it is not the first community to use public humiliation as a motivator.

In Manchester, N.H., for

example, a convicted child molester was ordered to take out ads explaining his crimes. Shoplifters in Texas have been ordered by a judge to carry signs in front of the stores they had pilfered.

Strillaci said he is hopeful that the department's on-line list will reinforce the notion that speeding and running stop signs is bad behavior. If it saves someone's life, he said, a little embarrassment is not too high a price to pay.

Whether such tactics work is debatable, however. "Shame is a very individual thing," said Dr. Lori Calabrese, a South Windsor psychiatrist. "Not all people are going to respond to it."

In fact, several of the more than 100 individuals on West Hartford's list said they would not be ashamed by the publication of their name.

"I'm not embarrassed about a speeding ticket," said one local resident who was accused of traveling unreasonably fast on a local street in November.

New use-of-force policy & procedures unveiled in DC

Continued from Page 1

truck during a traffic stop. In 1997, three officers were killed in a span of less than three months.

The new use-of-force policy is a reflection of the philosophies held by Ramsey and Gainer, each of whom has 30 years in policing, and the fruit of discussions they have held with the Police Executive Research Forum, the International Association of Chiefs of Police and the National Organization of Black Law Enforcement Executives. "The biggest point is the defense-of-life policy," said Gainer.

Among the policy's finer points is a ban on the use of nightsticks or arms across the front of a person's neck to render him unconscious. The guidelines do, however, allow for some specific types of holds. For example, in extreme situations where the life of a civilian or officer is threatened, police can use a "sleeper hold," in which force is applied across the carotid artery to restrict the flow of blood to the brain.

To control a situation, the policy deploys a "force continuum" whereby officers are trained to use certain measures to prevent an incident from escalating to brutal or deadly force. A suspect's body movement, for instance,

will be met by uniform presence. If a suspect is unresponsive, the officer may respond with verbal force.

If threatening words or gestures are used, the officer assumes an escort position to lead the subject. To meet passive resistance, the officer may grab the suspect's wrists and pin his arms behind him. Responses to active resistance range from take-down techniques and pepper spray or other non-lethal weapons to the use of deadly force.

The policy gives guidance, said Gainer, on when to use deadly force. Other prohibitions, he said, include not shooting through doors or through windows unless someone is clearly visible. Fleeing cars are not to be fired upon, either. If a car is being used as a deadly weapon, Gainer said, police are instructed to get out of its way.

"I did quite a bit of research on what the standard was in the greater metro area," he told LEN. "Quite a few departments had much clearer policies that were much more toward defense of life." Among those Gainer examined were the policies of departments in Alexandria, Va., and Prince George's and Montgomery counties in Maryland.

In addition to the guidelines, firearms instruction will be increased from eight to 16 hours a year for every officer, beginning in January. Nearly 75 percent of officers who used their weapons in 1996, it was found, failed to meet the city's basic firearms standard for using the Glock semiautomatic handgun. Nineteen officers have shot them-

selves or others accidentally in the past decade, and more than 120 unintentional discharges have been made.

The training will focus on defensive tactics and judgment, in addition to target practice and other proficiency drills. It will teach officers how to de-escalate a situation and reduce the need for deadly force.

Shooting teams will also be sent to the scene of all police shootings. They will include officials from the Office of Professional Responsibility, assistant chiefs and homicide detectives.

The department's weapons review board, which has been criticized in the past for failing to thoroughly investigate incidents and for taking too long to issue its findings, will now report directly to Ramsey and Gainer rather than through the agency's training academy and various commanders.

In one incident, the board took four years to set a hearing on a 1990 traffic incident that involved James Douglas Cox, a printing salesman who was pulled over for changing lanes without signaling, told by officers he would be shot if he got out of his vehicle and hit on the head with a nightstick when he tried to read a badge number.

Cox was awarded \$625,000 after a judge found the district had shown "deliberate indifference" to citizens complaining of police brutality.

The officer, Barry Goodwin, was found guilty only of using demeaning language. The board recommended a 10-day suspension and counseling.

A new relationship for research & practice

Continued from Page 9

because of the implications for these two professions, but because of the promise this partnership holds for the future of the communities in which we live and work. We have witnessed some remarkable declines in crime over the past few years, to record lows, but we are a long way from achieving the levels of safety that befit this country and our grand experiment in democracy. Although we can take some solace in the fact that our property-crime rates are lower than those in Europe, Australia and New Zealand, we should be appalled at the levels of lethal violence in our society. Although we can take some solace in the successes of community policing, we should be profoundly troubled by our country's fourfold increase in the rate of imprisonment over the past 25 years. Our levels of violence and imprisonment undermine our ability to build a safe, healthy, tolerant and respectful national community.

Messy laboratories

We need to recognize that a national effort to produce a safer and more just society will not be successful if that effort is limited to a compilation of effective crime-prevention programs — the types of programs that can be evaluated in our laboratories of social science. We will only produce the safe and just society we envision if we work at the community level, on complex problems, testing multiple interventions simultaneously. This is real life, where people's behavior is not the result of a program, but the result of a complex

interaction of a number of influences, where the levels of crime, fear and safety are not determined by the actions of the police and the criminal justice system, but by a complex interaction of forces of formal and informal social control, of culture and history.

In the messy laboratory of real life in real communities, white coat-style research is unlikely to provide satisfactory answers. We will have great difficulty determining causation, measuring effect or distinguishing the contributions of competing interventions. Yet in those messy laboratories, there is a great need for the skills and values that the research community can provide. People are trying new crime strategies every day, without government funding, without programs that have fancy acronyms, without the benefit of the latest NIJ publication. They may not even think they are implementing a crime-prevention program; they may simply think they are trying to get their kids through the difficult years of adolescence alive. They may not think they are experimenting with new theories of deterrence they may simply think they have found a way to link the police and probation to supervise kids at risk of getting killed.

These messy laboratories provide, in the words of Paul Lazarsfeld, our modern-day strategic research opportunities. Accept the challenges presented by these research opportunities, and, if you choose another path, at least value the work of your colleagues who take up the challenge. The risks are great, but the potential benefits are even greater.

Headlines are not enough

Affirmative-action programs looking a little black & blue
Now & then
The jury is still out on community policing
It's a mother
Supporting the officer of the future
Time to rethink academy & field training
Maternity-leave
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A publication of John Jay College of Criminal Justice/CUNY

IACP, NAPO challenge Police Corps funding

Continued from Page 1

chief in America who has come in and asked for any of that money to be allocated to his state in support of Part B."

Police chiefs, he said, should lobby hard for that money. "They ought to insist that that money be used to develop programs, that states develop programs, that they in their departments develop programs and then get the money from the COPS office to develop them."

But beyond questions of funding, a major and longstanding concern of both the IACP and NAPO is the Police

Corps's four-year obligation and its potential for creating a "turnstile-type of management," said Voegtlin.

A police officer is just beginning to understand the nature of the job after four years, NAPO's executive director, Robert T. Scully, contended in a recent position paper. Textbook learning, he claimed, is no substitute for the type of on-the-job training that comes with time spent on the streets. Moreover, he insisted, a constant rotation of Police Corps candidates will eventually cause divisiveness and low morale within employing police agencies.

"How will a committed law enforcement officer feel when he finds his partner, who is committed to serve only four years, has had his college education paid for?" Scully mused.

The average cost of a Police Corps scholarship recipient is estimated at \$71,000, said Scully, including the cost of tuition, educational expenses, a 16-week stipend during training and the allocated funds to the agency. He added that the figure does not include the amount of funds and resources expended for the training, ranging anywhere from \$6,000 to \$30,000 per candidate.

didate.

Townsend strongly supports the funding of scholarships for in-service police officers, Gelb told LEN, but believes the Police Corps is a "win-win situation" for law enforcement.

"If they stay for four years, that's great," he said. "If they leave and go on to be a lawyer or a journalist, they will have a deep understanding of and support for law enforcement. That is the much bigger picture that people should keep in mind."

Critics, he observed, should take into account what the average length of service is for officers in general. "You get a four-year commitment," he said, "that means that these people will stay for a minimum of four years when a lot of officers leave short of that."

The average tenure of a police chief is about two years, Walinsky asserted, and that of a police officer is less than two years. The IACP's and NAPO's contention that four years of service is not a sufficient return for the invest-

ment, he said, is not a "representation of reality."

One of the country's largest law enforcement organizations, the National Fraternal Order of Police, has come out in favor of the Police Corps. The group's executive director, Jim Pasco, said the FOP strongly supports both that program and in-service scholarships.

"I am sure the IACP and NAPO have no data to support their contention that people are only coming in for the four years to fulfill their obligation," he told LEN. "That's somewhat at variance with common sense. It would be like saying someone only goes to a military academy to fulfill their four- or five-year obligation when in fact the majority of people spend the majority of their careers in the military. That's how you get your very best people."

The program combines two of the best concepts in law enforcement today, he said: education and commitment.

Running is job-related, judge says, OK'ing unisex fitness standard

Continued from Page 1

dates to perform athletically at the same level as men — would not do women any favors, for several reasons.

"It is one job," said R.G. (Nick) McNickle, an exercise physiologist and director of the Cardiovascular Fitness Center at John Jay College of Criminal Justice, who has trained candidates for the New York City Police Department and numerous other agencies. "The bad guys do not adjust their speed or strength to whoever is chasing them. There is a physical standard that should be met to prepare you to do the job successfully, so that you don't put yourself at risk or your partner at risk, and you deliver for the public the job you are sworn to do."

Penny Harrington, a former police chief of Portland, Ore., and executive director of the National Center for Women in Policing, is also against gender-based requirements which, she asserts, tend to create resentment and feed into the belief that the only way to get women into policing is by lowering the standards.

Instead, Harrington contends that all fitness tests should be tied to proven, job-related tasks. "Make the test fair, realistic and job-related," she told Law Enforcement News. "And if women can't pass it, they can't."

But as Harrington observed, law enforcement today is headed even further down the road toward a community policing orientation, with its emphasis on violence defusing, verbal communication and community involvement in problem-solving. Taking a year's worth of activity, she said, researchers would probably find that police need far less physical strength than is generally believed.

"There is no doubt that police of-

ficers have to be physically fit," she observed. "It is a very strenuous job that at times requires you to use force. But to require that you need some type of super-human ability that only a small percentage of the population meets is ridiculous."

The SEPTA standard, she said, "smacks of a boys' club."

She also noted that many of the tests around the country are predicated on upper-body strength, which fewer women typically have. These unfair tests are designed so that women will wash out, Harrington contended.

In Lanning v. SEPTA, however, Judge Newcomer found the fitness standard to be job-related, dismissing the plaintiffs' argument that the running test effectively kept women off the force since even physically fit women have such a high failure rate. Newcomer found running a key task, noting that SEPTA officers should be at least as fit as perpetrators, if not more so.

The agency's standards are based on the findings of Or. Paul Davis, a Maryland physiologist, according to Saul Krenzel, the attorney who successfully argued SEPTA's appeal. Davis followed officers on their tours, interviewing them and ultimately coming up with the current test, which focuses on aerobic ability and physical agility, such as jumping tumstiles.

Twice a year, incumbent officers are retested based on the same standards used for recruits. SEPTA has also made available free membership in a clinic with a full-time physiologist to help officers get into shape. According to Krenzel, 97 percent of the individuals hired who had met the standard could still meet it six years later.

At the time the program was implemented, only 55 percent of officers

could complete the 1.5 mile run in 12 minutes, but that figure rose to 86 percent over the same six-year period.

The agency developed a data base of 200 officers over the six-year span, matching their fitness profiles to data on the number, type and location of arrests they made, and controlling the data base for different variables. "We came out with an analysis that demonstrated with a very high statistical levels of confidence that the more aerobic capacity you have, the more arrests you make," Krenzel told LEN. "The likelihood that this occurred by chance was one in 1,000 or less."

SEPTA officers who met or exceeded the agency's aerobic standards made three times as many felony arrests, said Krenzel, adding that in the six years the program has been in place, crime in the subway declined by 70 percent. A high aerobic capacity, Krenzel maintains, means a statistically significant likelihood of turning a crime call into an arrest. "Why? Because 90 percent of patrols are deployed on foot, not in cars."

McNickle, who said he would like to see the SEPTA analysis subjected to peer review in a scholarly journal, maintains that as long as job-relatedness is the bottom line in fitness testing, men will generally have an edge over women.

"Men on average are bigger, taller, stronger, faster," he pointed out. "With any physical requirement that is administered correctly, you will find that more men will succeed at higher levels. It doesn't mean men are more intelligent or more capable in any area of policing, but in terms of pure physical ability, they have an advantage. That's the reality of the differences between the sexes."

Questionable shooting

Nude photos of suspects debunk brutality claims, but raise eyebrows

Perhaps only in Superman's Bizarro world, where people say hello to mean goodbye, and no for yes, would civil liberties activists and a major law enforcement group find themselves in the seemingly reversed positions they have taken in Suffolk County, N.Y., in a case involving the homicide squad's practice of taking nude photographs of certain suspects.

The long-time policy came to light in October during a high-profile murder trial in which nude pictures of defendant William Soddors were introduced as prosecution evidence to back the assertion that he had no signs of injury at the time his statement was taken by police.

Soddors claimed he was slapped on the back of the head to make him confess to the killing of a New York City firefighter, who was shot as he jogged on the Centereach High School track in 1997.

Suffolk's homicide squad has been taking the photographs since the mid-1980s when a state Commission of Investigation began a probe of the unit's methods of taking confessions. Investigators found that some suspects had been beaten into admissions of guilt. The tactics caused some of these statements to be later thrown out by the courts and convictions to be overturned.

Is the practice unusual? According to Dennis Kenney, director of research for the Police Executive Research Forum, the fact that no other police agency does so would attest to its rarity.

"Any benefits I could see would be if the department has an expectation that individuals are going to come forward and claim their statements were physically coerced," he told Law Enforcement News. "I would be a little bit concerned that the department is operation with a preconceived assumption that those sorts of challenges would be made to them. It seems like an awfully defensive posture for a police department to be in," he said.

Under the procedure, suspects may refuse to be photographed, and female suspects are exempt from the practice,

officials said. The photographs are usually entered into evidence at trial and made available to the jury. There have been other instances, besides the recent case, where such photographs have been used as evidence when the defense has claimed a confession was obtained by force.

Defense attorney Steven Wilutis said a homicide detective slapped Soddors on the back of the head with either his hand or a phone book, so hard that his chair tipped over and caused a knee injury.

Kenney observed that the practice could be both humiliating and demeaning to suspects. "I would think the policy runs the possibility of infringing on a suspect's right to privacy," he said. "These are individuals who have only been accused of something. There is a lot of discomfort with some strip searches, much less collecting lasting documents."

Both the Suffolk and Nassau County chapters of the New York Civil Liberties Union, however, said they did not find the practice to be "constitutionally offensive." On the contrary, said Barbara Bernstein, executive director of the Nassau County chapter, anybody who has been brutalized by police should want to have their photo taken. "If it's a big lie, then why shouldn't the police have the evidence to show that," she told Newsday.

This somewhat ironic reversal of postures, noted Kenney, is perhaps proof that many individuals in law enforcement today "are at least equally concerned with the propriety of police actions as are the ACLU."

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CAN WE TALK?

The head of NIJ explores how a remodeled, revitalized partnership between researcher and practitioner can make one more relevant and the other more effective. **Forum, Page 8.**

Also in this issue:

Force-fed: DC unveils new policy with sliding scale on use of force. **Page 1.**

Survival of the fittest: Tough standard for Pa.

transit cops stirs debate. **Page 1.**

A new look: Is violence against women worse than previously believed? **Page 5.**

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What They Are Saying:

“Make the test fair, realistic and job-related, and if women can’t pass it, they can’t.”

— Penny Harrington, former police chief and now executive director of the National Center for Women in Policing, on a tough, controversial, unisex fitness standard for transit police in Philadelphia. (Story, Page 1.)